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# THE TIMES

No. 65,288

THURSDAY JUNE 8 1995

'Tide of history against the MoD'

## Forces keep their ban on homosexuals

By RICHARD DUCE, PHILIP WEBSTER AND MICHAEL EVANS

THE Government is to keep its ban on homosexuals serving in the Armed Forces, rebuffing a judge who said yesterday that the policy was doomed because old prejudices were breaking down.

Lord Justice Simon Brown gave his personal view after ruling in favour of the Ministry of Defence in a case brought in the High Court against the ministry by four former service personnel, three men and a woman, who were dismissed for being homosexual. His remarks, calling for a change in the policy, brought an angry reaction from senior Conservative backbenchers and a terse response from the Government, which remains adamantly opposed to lifting the ban.

Lord Justice Brown and Mr Justice Curtis said in a 43-page judgment that the ministry had acted within its powers and that it was a matter for Parliament, not the courts, to declare the ban unlawful.

However, Lord Justice Brown talked on the Government to examine the policy afresh in the light of changing attitudes. He said: "It seems to me improbable, whatever this court may say, that the existing policy can survive much longer. Lawrence of Arabia would not be welcome in to-

day's Armed Forces. The tide of history is against the ministry. Prejudices are breaking down. Old barriers are being removed."

Roger Freeman, the Defence Procurement Minister, speaking with the authority of Malcolm Rifkind, the Defence Secretary, indicated that the judge's wishes for a change would fall on deaf ears. He said: "The judge has expressed an opinion on the need for a change, so we will study the judgment. However, the Government's position on homosexuality in the Armed Forces was stated clearly during the recent RAF debate (on May 4) and it remains our policy."

In that debate Mr Freeman said: "Upon military advice, and with the full support of [the] Government, we do not believe that it is appropriate to retain homosexuals in the Armed Forces."

The court ruling yesterday, upholding the Government's policy, came after an appeal by four former service personnel, three men and a woman, who were dismissed for being homosexual. Lord Justice Brown, 36, a former lieutenant commander in the Royal Navy, former RAF Sergeant Graeme Grady, 32, former RAF nurse Jeanette Smith, 28, and former Royal Navy weapons engineer John Beckett, 25. They were granted leave to

appeal and are considering taking their case to the European Court of Human Rights. The ministry was granted costs in the action, but the order will not be enforced against Mr Smith or Mr Beckett who are legally aided.

Dismissing their applications, Lord Justice Brown said he had great sympathy with their case which had led to a difficult judgment. "I recall none harder," he said.

Mr Justice Curtis, who did not support Lord Justice Brown's view that the ban was doomed, said: "I do not hold the opinion that the balance of the argument lies with the applicants or that the decision of the Armed Forces is doomed to die an early death or that it is necessarily wrong."

After the ruling, Mr Lustig-Prean said: "This particular battleship of bigotry is holed below the waterline and is sinking." Sir Ian McKellan, the actor and gay rights campaigner, who sat through the hearing, said: "These people have done nothing wrong. But they are gay and they are lesbian; therefore they are not fit to be in the Armed Forces."

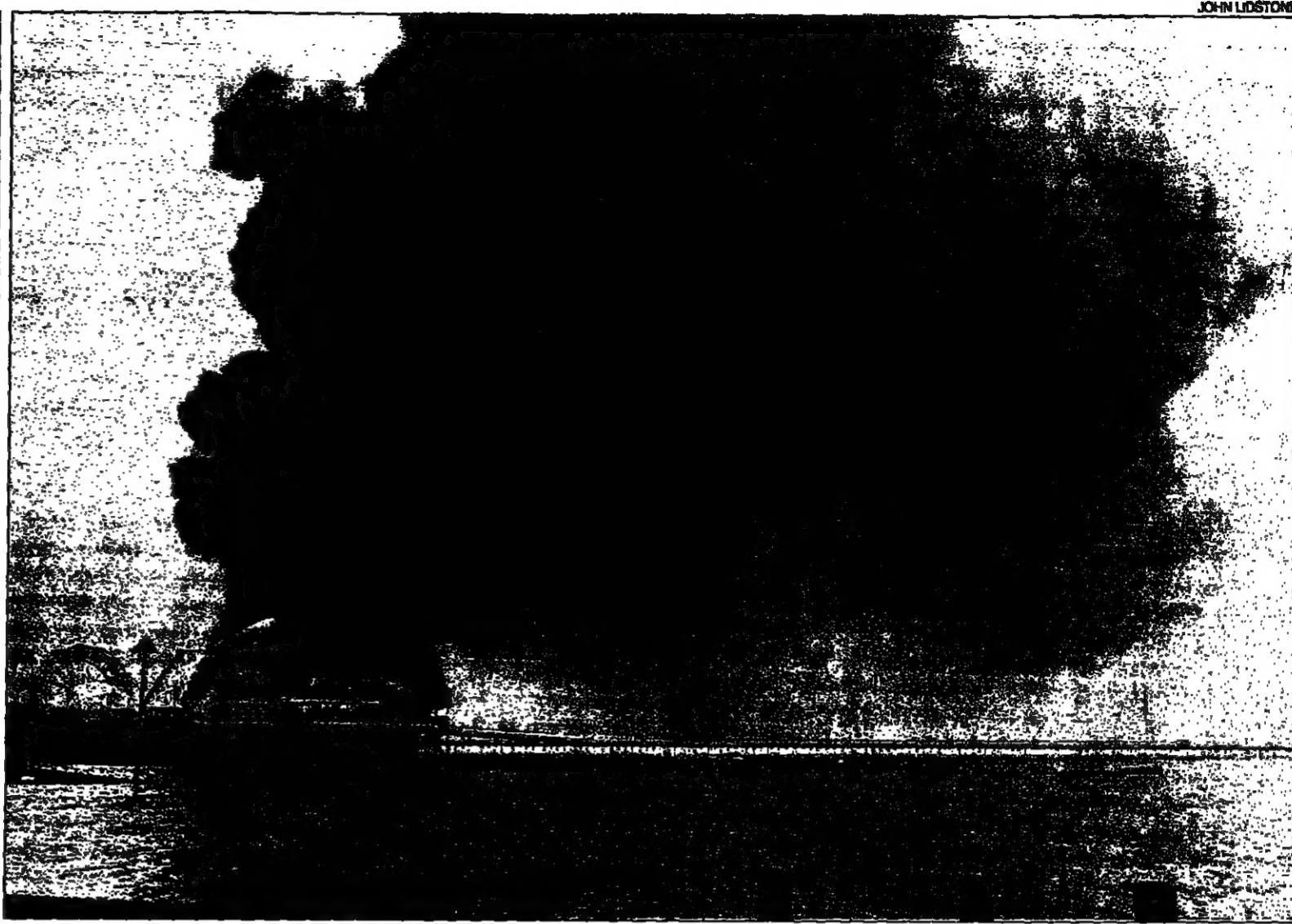
However, Sir Nicholas Bonsor, chairman of the Commons Defence Committee, said: "Military discipline is essential whatever the passing trends in society may be. The safety and efficiency of our troops have to be the most important factors to be considered." He said he saw no prospect of the Government changing the law and that "there would be a vigorous backbench response if they were to try."

Ton King, the former Defence Secretary, said: "The ban is there for a good reason. I support the view of the chiefs of staff that it is necessary to keep it." Labour repeated its promise to address discrimination in the forces in consultation with service chiefs if the party came to power.

In Europe, only Portugal, Italy, Turkey and Luxembourg have a similar policy of banning homosexuals, although none of these countries enforces it as strictly as the British.

France and Germany have no such ban, and Canada, New Zealand and Australia all lifted their bans in 1992. The United States has a policy of "don't ask, don't tell" under which, in theory, no investigating officer can ask about someone's sexuality. The compromise was agreed by the American service chiefs after President Clinton had tried unsuccessfully to lift the ban altogether.

Judges divided, page 2



Smoke and flames rise up from Southend Pier yesterday after a fire broke out in a bowling alley and destroyed a 109ft section of the structure

## Southend Pier devastated by third fire

By EDWARD GORMAN

SOUTHEND Pier — the longest pleasure pier in the world — yesterday suffered its third devastating fire in 36 years, when a blaze, starting in the bowling alley at the shore end, caused millions of pounds in damage.

Smoke and flames could be seen up to seven miles from the Essex resort.

The blaze broke out early yesterday after an explosion at the foot of the pier, which was built in 1889. Flashes swept through the bowling alley and destroyed a 109ft section of the pier in 30 minutes. The fire, which was attended by 23 fire appliances and 100 firemen, Southend relies heavily on the

Victorian structure to attract visitors to the town.

The managers of the bowling alley were taken to hospital suffering from smoke inhalation and shock. Four fishermen on the pier were briefly stranded but were rescued by the local lifeboat.

John Rawlinson, a postman who watched as the fire crews arrived, said the blaze was a frightening spectacle. "It was a sight from this end," he said, pointing at the twisted and blackened remains of the bowling alley, still smouldering four hours after the fire began. "It quickly reached the middle and within 15 minutes it was right across."

Michael O'Dwyer, the senior divisional officer in charge of the firefighting effort, said there was a danger of explosion which made the fire particularly difficult to tackle, as it came close to a paint store and workshops under the pier.

Mr O'Dwyer said the cause was not known but one possibility was an electrical fault in wiring in the roof of the bowling alley. "We have a video film taken by a member of the public as the fire started and progressed so we shall certainly look at that with interest," he said. The fire brought much of Southend to a standstill and thousands of people gathered to watch.

In 1959 the pavilion ballroom was destroyed by fire on the same site as the bowling alley. In 1976, a theatre, amusement arcade and restaurant at the seaward end of the pier were destroyed in a second fire. The pier was also badly damaged in 1986 when a ship went through it.

Derek Reader, director of engineering services for the town council, said he and his colleagues were shocked and distressed by the disaster. However he said the pier would open as soon as possible and events planned to take place on it would be rearranged. Mr Reader estimated the cost of damage to

the bowling alley to run into millions of pounds, but said that the pier was insured.

"Repairs to the pier will be carried out as soon as debris from the bowling alley has been cleared," he said. "There is nothing to stop that happening immediately."

The council spent £1.2 million refurbishing the pier between 1984 and 1986. Since then £200,000 has been spent on its upkeep each year, including a repainting programme over the last four years. According to the council's annual report, the pier attracted 300,000 visitors in 1993 and generated an income for the council of £316,630.

## Biographer attacks Lawrence claims

By ROBIN YOUNG

THE authorised biographer of T E Lawrence last night criticised Lord Justice Brown for "sounding off about something about which he had no evidence."

Jeremy Wilson said that the judge had "no evidence one way or the other" to substantiate claims that Lawrence of Arabia was homosexual, and said the issue was much more complicated because of the masochistic rape recounted in Lawrence's *Seven Pillars of Wisdom*.

He said that Lawrence had failed to condemn homosexual practices, which others of his generation had probably been expected to, but this showed his liberal tendencies. Mr Wilson pointed out that while at Oxford Lawrence had a crush on a girl.

Phillip Knightley and Colin Simpson first revealed Lawrence's strange sexual behaviour in later life in 1968 in *The Secret Lives of Lawrence of Arabia*, describing how Lawrence persuaded people to "bitch him" until the blood flowed.

In a biography published in 1992, Lawrence James said Lawrence was a homosexual. Sir Nicholas Bonsor, chair-



Lawrence: "no evidence to support claims"

man of the Commons Defence Committee, said yesterday of the judge's comment: "I do not think Lawrence of Arabia was known to be a homosexual at the time. I am sure people of homosexual tendencies have always served in the armed forces. But they have not been allowed to flaunt it or exhibit it in the course of their duties."

## Gynaecologist struck off for research fraud

By EMMA WILKINS

AN EMINENT gynaecologist who lied about performing a pioneering operation and fabricated research work was ordered to be struck off the medical register yesterday.

The false claims of Malcolm Pearce, 45, a former consultant at St George's Hospital, Tooting, southwest London, was a grave scientific fraud that undermined public confidence in the profession, the professional conduct committee of the General Medical Council ruled.

The case was so serious that Sir Robert Kilpatrick, president of the council and chairman of the committee, ordered Mr Pearce's registration to be suspended

immediately to protect the public. He has 28 days to lodge an appeal.

Ruling that the case had done incalculable harm to the standing of doctors, Sir Robert said: "Mr Pearce not only sought personally to mislead others, but to implicate colleagues, including junior doctors, in a web of deceit that has had incalculable consequences for public confidence in the integrity of research. Scientific fraud is dangerous. Medical knowledge worldwide is developed in part on the published results of previous research work."

The committee decided that Mr Pearce lied in two papers published in the *British Journal of Obstetrics and Gynaecology* last August. In the first, he claimed to

have conducted the first operation to transfer an ectopic pregnancy successfully. In the second, he pretended to have conducted extensive research trials into ovarian diseases. The committee found that Mr Pearce had invented the claims, then lied to an internal inquiry.

The hearing was told that obstetricians and gynaecologists who read Mr Pearce's so-called medical discoveries might have experimented with the technique and attempted potentially dangerous treatment.

His fabricated reports were signed by two junior colleagues and a senior

Continued on page 2, col 6

Body and Mind, page 18



Pearce: undermined public confidence

## More hostages freed by Serbs

Bosnian Serbs yesterday released three United Nations officers and up to 50 more hostages were expected to be freed soon.

The three officers from France, Spain and Brazil joined 108 UN peacekeepers released early yesterday and waiting to go to Zagreb. Six Britons are among those still held. Pages 15, 16

## Prince faces £1m Duchy tax bill

The Prince of Wales is likely to face a tax bill of about £1 million on his Duchy of Cornwall income this year. Duchy revenues, from investments, property and 125,000 acres of farmland rose by nearly 10 per cent last year to £114 million. Page 2

## Fashion glitterati face bribery trial

FROM JOHN PHILLIPS IN ROME

GIORGIO ARMANI and 25 other glitterati from the Milanese fashion world should be sent for trial on charges of bribing tax inspectors, an Italian magistrate formally ruled yesterday.

Among the others under investigation are Gianfranco Ferré, Girolamo Erre, Maria Mandelli (who is better known as Krizia), and Santo Versace. The magistrate called for charges of corrupting officers of the notoriously underpaid finance police to be brought against all of them. The designers have already admitted making the payments under pressure from tax inspectors.

Signor Armani, accused of making 100 million lira

(£38,500) in payments, shrugged off the request for his trial. "There is nothing surprising about this," he said. "This is just a formality in a procedure that the press has covered exhaustively."

Stefano Dominelli, chief designer of Gattinoni, the Rome fashion house, said the affair would damage the image of Italy abroad and suggested that it would have been in the national interest to cover it up, which is what he suspected would have happened in France. He drew attention to Italy's huge balance of payments surplus "in which 'Made in Italy' is the second largest source of foreign exchange."

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## Hurd's subordinate slips his leash to rally barbarian faction

At questions to the Foreign Secretary these days, Douglas Hurd hardly answers on Europe any more. He sits back in what his grandfather used to call a "brown study", eyes fixed on the middle distance. His junior minister David Davis answers on his behalf. Mr Hurd hardly seems to hear.

Perhaps he prefers not to. For though Davis's remarks conform to the letter of the amiable fudge on Europe the Cabinet has concocted, their spirit runs counter. From a

weak start, Davis is growing as a dispatch box performer. He is playing to the Eurosceptical majority on the Tory benches; his heart is in it, and it shows. Davis has become emissary to the barbarians in the Tory party. The barbarians are taking over so his status grows.

Of the six EU questions reached (five of them about the forthcoming inter-governmental conference) the Foreign Secretary answered only one. Davis is the minister involved in preparations for the IGC, and Hurd gave him

a free rein on four questions about it.

To Graham Riddick (Barbarian, Colne Valley), who had asked what new powers Britain would consider yielding to the European Parliament, Davis declared with a flourish "none" — to loud Tory cheers — then berated the "creeping competence" of European institutions. Nobody was quite sure what Davis meant by "creeping competence". It sounded like the sort of skin disease you might catch in Marseilles. But whatever it was he was



MATTHEW PARRIS  
POLITICAL SKETCH

against it. Everybody cheered again.

Labour's by-election winner Denis MacShane (Rotherham) sounded more in tune with Hurd's own instincts. To Tory jeers he called this anti-Europeanism famous. Denis Skinner peered at the newcomer as President Taft was said to have looked at a junior colleague: like a side

dish he hadn't ordered. Davis curled his lip. Hurd shut his eyes. He wished the barbarians would go away.

They didn't. They were soon back, led by Roger Knapman (B. Stroud). Said Davies to a nodding Knapman: "I will continue to oppose centralising tendencies in the EU." Juniors are not supposed to say "I". "I" is the Foreign

Secretary. The Foreign Secretary himself looked absolutely impassive.

He remained impassive as Davis brought tidings of Euro-sceptical cheer to Sir Roger Moore (B. Faversham) and, in another question that Davis took, to Bill Walker (B. Tayside N).

The Hurdian impassivity suppressed any hint of approval when Labour's Tony Wright (Cannock & Burnwood) suggested that Britain should try to "win friends and influence people" in Europe. Most Tories and a few Labour

MPs cackled. Davis didn't think so. Douglas Hurd didn't react.

The only European question the Foreign Secretary allowed himself to answer came from one of the small band of "Out" Europhiles now left in the Tory party: Hugh Dykes (Harrow E).

Maybe Dykes is among the few to whom Hurd now cares to talk or maybe the danger of pitting Davis against Dykes had been spotted early.

Mr Hurd, then, was the Tories' emissary to the European Children of the Light. As

the Children of the Light retreat, so does his political mission. Dykes was wearing a blue EU tie with yellow stars. His colleagues jeered him.

When Labour's Robin Cook intervened and tried to pretend he, too, was pro-EU, one Tory below the gangway shouted "bollocks".

Three times Davis hinted that the IGC will be delayed. A general election: approaches. We see what they're up to.

And Mr Hurd? He closed his eyes. The barbarians are at the gate.

## Prince faces £1m tax bill for the Duchy of Cornwall

BY ALAN HAMILTON

THE Prince of Wales is likely to face a tax bill of about £1 million on his Duchy of Cornwall income this year, according to figures published yesterday.

Duchy revenues, from investments, property and 125,000 acres of farmland, mainly in the West Country, rose by nearly 10 per cent last year to £11.4 million. Annual accounts show that, after deducting all operating costs, a surplus of £4.5 million was paid to the prince as Duke of Cornwall, his only source of income.

The Duchy, as a Crown estate, is exempt from taxation, but the prince has always voluntarily surrendered part of the profits in lieu of tax. When he was single, he gave half to the Treasury; after his marriage he gave a quarter. Two years ago, following the example of the Queen, he agreed to be taxed as any other person, surrendering 40 per cent of his taxable income.

The prince spent an estimated £2 million of his income on official duties, maintaining an office and 80 staff, from gardeners at Highgrove to secretaries at St James's Palace dealing with an estimated 110,000 letters a year. Such expenditure is tax exempt, leaving a taxable £2.5 million for the prince's private use, and for the taxman to raid at

maximum rate. The prince has never received funds from the Civil List, and his Duchy income has to support himself, the Princess of Wales, and Prince William and Prince Harry, who likewise will have no other source of income until and unless one of them accedes to the throne.

Duchy sources indicated last night that much of the prince's income was put away in long-term investments for his children. He is likely to be left with £1.5 million after tax.

Clothes for the Princess of Wales are not regarded by the Inland Revenue as a tax-deductible item. The only items in the Wales's wardrobe

which can be set against tax are the prince's military uniforms. The Duchy said last night that its increase in profits was the result of selling off poor agricultural land over several years, and transferring the proceeds to healthier investments, particularly property. Profits have improved since the estate was freed several years ago from an ancient statute which forbade it to dabble in outside investment.

The Prince's £1 million tax bill is likely to be only marginally greater than that he paid last year, when he was taxed at 40 per cent for the first time, and not greatly different from what he paid under the previous voluntary arrangements. With the prince now being taxed more or less as if he were a self-employed businessman, allowable business expenses have kept his tax liability close to its traditional level.

The Duchy, dating from 1337, consists of 130,000 acres in 23 counties, although mainly in south-west England.

Liberal Democrats called on the Government yesterday to earmark tax paid by the Prince for areas in the Duchy which are in economic difficulties. Paul Tyler, Liberal Democrat MP for North Cornwall, said: "The Duke's profits should be ploughed back to invest in recovery."



The Prince of Wales: duchy is only income



Duncan Lustig-Preen, left, Jeanette Smith and John Beckett after their defeat at the High Court yesterday

## Gay case reveals judicial division

BY FRANCES GIBB, LEGAL CORRESPONDENT

THE disagreement between the two judges in yesterday's historic challenge to the Armed Forces' ban on homosexuals highlights a division in the judiciary over the correct approach in the growing area of judicial review.

Both Lord Justice Simon Brown and Mr Justice Curtis concluded that the action should fail on the ground that there was insufficient justification for the courts to interfere in an executive policy. But they were divided over certain fundamental issues. Their differing approaches in part reflect a split within the judiciary, with some

judges believing that account should be taken of the European Convention on Human Rights.

Lord Justice Brown took the more liberal approach. He accepted the merits of the case and said that the balance of the argument for allowing homosexuals to serve in the forces lay clearly in favour of those bringing the challenge.

But he believed that the court could not interfere unless there was the most extreme abuse of power. Under the test applied in judicial review cases, he ruled that the Armed Forces' policy was not so irrational that he could

declare it unlawful. He said that the case was complex — "I recall none harder" — and he was refusing the applications with "hesitation and regret".

He predicted that in time the policy would fall, saying that the European Court of Human Rights would be unlikely to uphold the Ministry of Defence's arguments. Pointing the way to a hearing in Europe, he said: "Over-hanging this lies Strasbourg, adding that 'the Ministry of Defence's position would clearly be more difficult'."

Mr Justice Curtis agreed

that the challenge had to fail because it was "for Parliament to decide whether the decision is to be revoked or continued". But he did not take the view that the balance was with the applicants.

Rejecting the case on its merits, as well as in law, he also rejected that the court should have any recourse to the European Convention on Human Rights or the EU equal treatment directive, as counsel had argued. The right approach was the traditional one in judicial review cases, he said.

Ban upheld, page 1

## Bank gives Sutch a financial reprieve

BY A STAFF REPORTER

THE political career of Screaming Lord Sutch was saved yesterday when Barclays Bank decided against declaring him bankrupt. Mr Sutch, 54, would no longer have been able to stand for Parliament if the bank had pressed for bankruptcy over a £194,000 debt.

The pop singer has reached terms for gradual repayment of the loan and so can contest next month's by-election at Littleborough and Saddleworth. "I was terrified at the thought of bankruptcy," said Mr Sutch, who has been standing for Parliament with his Monster Raving Loony Party since 1963. "If I had been declared bankrupt it would have meant the end of the Loony Party and my political career."

The debt was for a £120,000 bridging loan, plus interest, which he took out to buy a house at Hastings, East Sussex, several years ago. "I'd do some pop gigs to pay it back," Mr Sutch said. "The bank had it in their power to make me bankrupt and they have declined to do that — they have been kind to me. I must admit."

Gary Jacobs, his solicitor, said the agreement was to the "mutual satisfaction" of his client and Barclays Bank.

Mr Sutch, Britain's longest-serving party leader, has fought about 40 elections in 32 years and forfeited thousands of pounds in deposits.

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## Changes to Scott report may clear minister

BY PHILIP WEBSTER

THE embattled minister William Waldegrave was hopeful last night of defusing criticism over his involvement in the arms-to-Iraq affair after suggestions that Sir Richard Scott had changed his draft report.

Sir Richard's initial criticism of the Agriculture Minister in the leaked draft accused him, when Foreign Office minister, of misleading MPs over Britain's arms sales policy to Iraq. But after Tory condemnation of the draft report and its contents, Mr Waldegrave is understood to have been advised by ministerial colleagues that he has a good chance of softening criticism of him.

A senior Conservative who gave evidence to the Scott inquiry, and who was sent extracts of Sir Richard's provisional conclusions, made several "observations" about the findings and has had them all taken on board. The Times has learnt. He has received a second batch of documents from Sir Richard which show considerable changes from the first.

Other ministers called before the inquiry have echoed Lord Howe of Aberavon's remarks about Sir Richard's alleged lack of understanding of Whitchell. "It was quite clear that he was on a very sharp learning curve," one of the witnesses said.

Former ministers said yesterday that the inquiry might lead to changes in the way ministers conducted their business. Senior officials might be allowed to take from ministers the workload and responsibility of signing letters.

Last night Sir Richard denied claims that his draft report accuses Baroness Thatcher of deliberately misleading Parliament. He said that a report in *The Independent*, referring to a letter by Lady Thatcher on arms sales policy, had drawn selectively on an extract from the draft.

## Struck off

Continued from page 1

professor who later admitted that they had never met any of Mr Pearce's patients and could not verify his work.

While Mr Pearce claimed that he was suffering from manic depression last year, he has never requested that his case should go before the health committee of the council. In a letter from his solicitor to the committee of five men and two women, Mr Pearce asked them to take account of his "full assurance" that he had conducted the work.

The committee took ten minutes to find Mr Pearce guilty of 12 charges of serious professional misconduct. Sir Robert said: "Future research in any field may be jeopardised where researchers follow in good faith the techniques or treatments described in published papers that are fraudulent. Where clinical research is concerned, the future safe treatment of patients may also be placed at risk."

Professor Geoffrey Chamberlain, Dr Isaac Manyonda, co-authors of the ectopic pregnancy report, and Dr Rosal Habib, co-author of the research trials paper, have received "chastening letters" from the council, reminding them of their obligations to check research before lending their names to it.

The case provided lessons for the future conduct of research. Sir Robert said: "Greater public and professional awareness are important factors in helping to detect and stamp out fraud. There are lessons to be learnt from this case about the need to devise and operate effective safeguards in every unit where research is carried out."

Mr Pearce, who was sacked from his post in December after an internal inquiry, did not attend the three-day hearing. He said last night: "I just want to get on with the rest of my life. I have been given legal advice to make no comment."

The case was so serious that Mr Pearce will be suspended immediately, Sir Robert said. "The committee has determined that it is necessary for the protection of members of the public and would be in his own best interest that his registration in the register should be suspended with immediate effect."

Body and Mind, page 18

## MoD doctors dismiss Gulf War syndrome

Hundreds of servicemen and women who believe they are suffering from Gulf War syndrome are victims of chronic fatigue syndrome, or ME, Defence Ministry medical experts said yesterday. More than 500 veterans of the war say they were affected by vaccinations against chemical and biological warfare. Solicitors are collating alleged cases and preparing legal action against the ministry.

Ministry experts who examined 261 cases were questioned by the Commons Defence Committee yesterday. They said that 14 per cent involved life-threatening conditions such as liver failure and lupus, but these would have begun well before the Gulf War. Half those examined were suffering from myalgic encephalomyelitis (ME) or chronic fatigue syndrome, the experts said.

## GPs to reject new deal

Family doctors are set overwhelmingly to reject a government offer over funding out-of-hours care. The results of a ballot of 29,000 GPs in England, Wales and Scotland are due to be announced today. It is understood that about 80 per cent have voted against the new deal. Their leaders will spend the day debating whether to ballot the profession on sanctions.

## Security vetting likely

Controls and a licensing system should be introduced for the private security industry, the Home Affairs Select Committee recommended yesterday. John Greenway, a committee member, said the police were all but powerless to stop criminals coming out of jail and charging elderly residents for neighbourhood patrols. Michael Howard, the Home Secretary, is expected to introduce some form of regulation.

## Soft cheese warning

Keeping soft cheese in the fridge and then bringing it out to ripen could be more dangerous than leaving it either in the fridge or at room temperature, research at the Centre for Applied Microbiology at Porton Down in Wiltshire has shown. The *Listeria bacterium*, responsible for many outbreaks of food poisoning, flourishes under such treatment, the establishment reports in *New Scientist*.

## Vasectomy couple sue

A couple who had a child eight years after the husband's vasectomy began a test case for compensation in the High Court. Roy Dadds, 46, and his wife Isobel, 42, had four children before Mr Dadds was sterilised in 1983. They claim that the Health Department was negligent in failing to publicise the results of a study in 1984, suggesting that one in 2,000 vasectomies naturally reversed itself.

## Milk bug hits tourists

Eight children were in hospital yesterday and 250 other British holidaymakers were being treated by Spanish doctors after an outbreak of food poisoning at a British Airtours hotel on the Costa Brava. They had eaten a pudding made with milk contaminated with salmonella at the 3-star Don Quijote hotel in the resort of Lloret de Mar. The children are expected to be released from hospital today.



Football manager tells libel hearing: 'I am proud of the way I treated Danielle'

# Souness applied for court order to jail former wife

By KATHRYN KNIGHT

GRAEME SOUNESS, the former Liverpool football manager, was yesterday accused of bullying and threatening his ex-wife after their separation and trying to sabotage her plans to create a stable environment for their three children.

A High Court jury was also told that Mr Souness, 42, had applied for a court order to send Danielle Souness, 39, to prison if she failed to fill in a questionnaire regarding a matrimonial agreement.

George Carman, QC, for Mirror Group Newspapers, accused Mr Souness of threatening Danielle Souness, 39, with eviction from the family home in Surrey if she did not comply with his tenancy terms. Mr Carman said that Mr Souness's lawyers had sent a letter in November 1992 giving a 28-day eviction notice to Mrs Souness and their children, Fraser, 14, Jordan, 10, and his adopted daughter Charlotte, 20.

Mr Souness said the letter was an attempt to "focus her mind" because she had failed to sign a tenancy agreement over a period of 2½ years.

Mr Carman asked if he thought it was "fair and reasonable and responsible" to have solicitors serve a notice to quit on his family, to which Mr Souness replied that his lawyers had written the letter



George Carman, for MGN, and Danielle Souness

in frustration. "I'm not proud of it, but it was reasonable."

Mr Carman asked whether it was true Mr Souness's lawyers had sent a letter to his ex-wife, saying she would have to leave the house if she had anybody apart from family members to stay for more than two days.

Mr Souness, who denied any knowledge of the letter, told the court earlier that he was concerned about the effect on his children of any new man who came into his wife's life. "I was only interested that any man was going to be a decent man to my children, and that I wasn't going to have someone living in that house and me paying for it," he said.

Mr Carman told the court that Mr and Mrs Souness, whose divorce was finalised in May last year, had agreed in 1990 to provide a stable home for their children, but added:

"It was a plan you deliberately set out to sabotage in the following two years."

Mr Souness said he valued stability for his children highly but did not feel he could rely on his former wife to provide this.

Mr Carman asked him: "Would it be correct to say that for the last five months you have had an application before the court to send the mother of your children to prison?" Mr Souness: "That would be correct on the advice of my lawyer."

He said he had never "held a gun" to his ex-wife's head and never enforced an eviction from Norton Farm. He said his wife had disappeared with the children to Majorca with no notice in February 1993. Two lodgers had told him she had stripped the house of everything except the fridge.

"I was stunned at the man-

ner in which she'd left, the way Jordan had left. He'd not had a chance to say goodbye to any of his pals." He had also been concerned about Jordan's education in Spain.

When asked by Mr Carman if he was proud of his record as a father and husband, he said: "No one can challenge me about being a good father or good husband. I am extremely proud of being a good father and good husband. It is impossible to say you are a good father at all times. You have your moments. But I regard myself as a good father and am proud of the way I treated Danielle."

Mr Souness, who is now married to Karen Levy, 35, a former model and actress, is seeking damages from Mirror Group Newspapers after *The People* carried a front page interview with his ex-wife on May 9, 1993, in which she claimed he behaved like a "dirty rat" to their children. The article claimed he had told her to "bugger off" out of her family home and also told her to "get stuffed" when she asked for money for the children.

MGN denies libel and claims the article was justified. Mr Souness told the court his life had been "unbearable" since publication of the article, and that it had brought great pressure on his relationship with Karen and with his sons in particular.

The case continues.



Graeme Souness and his wife Karen outside the High Court in London yesterday

## Drug ring suspected of teabag racket

By GILLIAN BOWDITCH  
SCOTLAND CORRESPONDENT

A CONSIGNMENT of fake Tetley teabags containing metal and possibly rat droppings has been seized by trading standards officers, who believe drug barons may be producing counterfeit foodstuffs in a money-laundering operation.

Bones of the teabags have been discovered in corner shops and markets throughout Glasgow. Strathclyde trading standards officers believe the teabags, 2,000 boxes of which were seized, are being produced in large quantities. The counterfeiters use high-quality colour photocopying to produce the packaging. The tea is thought to contain metal and industrial floor sweepings — possibly including mouse and rat droppings.

Hugh Dougherty, of Strathclyde Region, said: "The counterfeit bags are in Tetley 80 packs with the serial number 4017E and an expiry date of July 95. The tell-tale sign is the lack of a blue pull-strip on the cellophane wrapping."

The public has been asked to take any suspect tea to the nearest trading standards office. On no account should consumers drink the tea.

John Nicholas, the marketing director of Lyons Tetley, which produces Tetley Tea, said the problem appeared to be limited to the West of Scotland. The company has set up an information line on 0800 141214.

## Cyclist's death echoed son's fate

By LUCY BERRINGTON

A WIDOW whose husband and son were each killed on their bicycles yesterday after the driver who ran over her husband walked free from court.

Carole Tyerman's husband Michael, 46, was knocked from his bicycle on the A174 in Middlesbrough last July and was crushed under the wheels of a 38-ton articulated lorry. The driver, John Steele, 47, of Birkenhead, Merseyside, yesterday admitted an "error of judgment" but said that Mr Tyerman, a steelworker, had swerved moments before the accident. Steele admitted careless driving and was fined £400 and banned for 18 months.

The victim's son Andrew, 23, a postman, died in 1989 as he cycled across a roundabout in Middlesbrough. The 74-year-old driver, Henry Payne, admitted careless driving and was fined £200.

After yesterday's hearing, Mrs Tyerman, 49, called for an offence of "motor manslaughter". She said: "You can kill someone with your car and it is just treated as a trivial motoring offence. These people should be locked up. I lost my son, which was hard enough. For my husband to be killed in almost identical circumstances was unbearable."

## Jail inquiry after Parkhurst escaper telephones BBC

By RICHARD FORD, HOME CORRESPONDENT

AN INQUIRY was under way last night into a prison security lapse that enabled a Parkhurst escaper to be interviewed on radio.

Keith Rose, a convicted murderer, telephoned the BBC from Full Sutton jail, near York, and was interviewed for 15 minutes about his breakout from Parkhurst in January.

He claimed a governor at the jail on the Isle of Wight had unwittingly helped him and two others to escape. Prisoners were able to copy a key to a gate after studying it closely when the unnamed governor "waved" it under people's noses, Rose said.

Rose's telephone calls at Full Sutton, which he was

sent to after the escape, should have been monitored by prison staff. As a Category A inmate, he should have been allowed to call only a vetted list of authorised numbers.

Tony Pearson, operations director for prisons in northern England, was at Full Sutton last night conducting an inquiry into the security lapse. The first the Prison Service knew of the interview was when it was informed by the BBC, 20 minutes before the broadcast on Radio 4's *The World at One*.

Rose, who was jailed for life for murdering a businessman's wife during a bungled kidnapping, said the three-man escape team he led was "absolutely amazed at how easy it was" to breach security. An inquiry into security, headed by Sir John Learmont, former Quarter Master General at the Defence Ministry, is expected to report later this month.

Rose escaped with Matthew Williams, who had been jailed for arson and conspiracy to cause explosions, and Andrew Rodger, who had battered a nightwatchman to death. Their efforts to steal an aircraft were foiled, and they were recaptured on the island five days later. John Marriott, the chief governor, was removed from Parkhurst after the breakout.



Rose: surprised by ease of escape

## Ban on sex leaves anglers squirming

By LUCY BERRINGTON

ENGLAND'S fishing internationals have been banned from having sex during the forthcoming angling world championships in case their catch is adversely affected.

The ten-strong England coarse fishing team, due to participate in the world championships in Finland in August, are bound to a fortnight's celibacy after the team manager declared wives and girlfriends unwelcome at their hotel. Dick Clegg, who has led the team for 11 years, said pre-championship sex exhausted his squad. "You have to be at your physical peak in this game," he said.

His squad, however, remained unconvinced. One member, who did not want to be named, said: "Many of the lads are upset. You would not think that what they do in their spare time would affect how many fish they catch."

"I know some of the wives are a little put out. Not being allowed to stay with their husbands or boyfriends during a foreign tournament is ridiculous."



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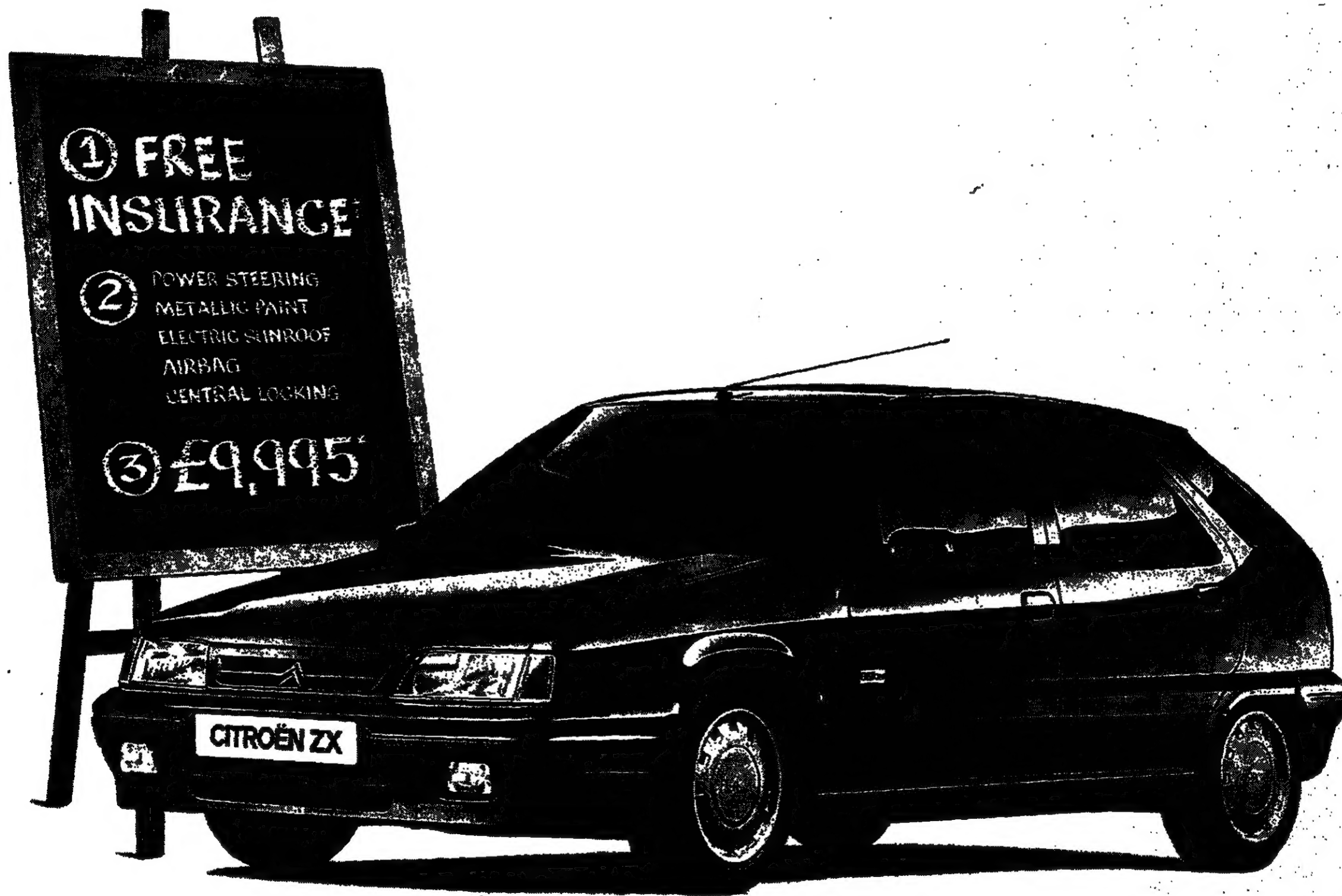
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# Hume takes firm line on couples living in sin

By RUTH GLEDHILL, RELIGION CORRESPONDENT

THE Roman Catholic Church would not change its stance against cohabitation simply because many couples choose to live together, Cardinal Basil Hume said yesterday.

Speaking the day after the Church of England said "living in sin" should no longer be condemned and the phrase should be abandoned, the Archbishop of Westminster conceded that it was difficult for a celibate to comment on the subject of cohabitation. But he thought society "talks and thinks far too much about sex" and "there are obvious human reasons for that".

He said he had not read the Anglican report, *Something to Celebrate*, but the Roman Catholic view was clear. He told a press conference at his home in Westminster: "Full sexual relationships are only possible inside marriage. That presents our society with an enormous challenge and a difficult ideal."

This ideal might not always be met. "But because everybody is doing it does not make it right. We are hardliners when it comes to this matter. But pastorally we are always compassionate and I think we have quite a good record of being understanding. We never want to drive anyone out of the Church; we want to help them come to terms with the Catholic position."

He continued: "Morality is bigger than sexual morality. Morality is concerned with human behaviour at all levels."

Cardinal Hume was launching the Catholic Agency for Social Concern, the first

agency of its kind since the Restoration of the Hierarchy in 1851.

He said: "There is clearly a social welfare aspect to marriage and the family. But marriage and the family in the traditional sense is very high on the list of the Catholic Church's priorities. We believe strongly in the family in the traditional sense."

The agency, set up by the Catholic bishops' conference of England and Wales, will offer advice to all those involved in social concerns, such as child welfare. Cardinal Hume said the duty of the Church was "to preach the gospel" and to be concerned for the welfare of people, "especially those in need".

He added: "It is one of the errors of our age to have established false dichotomies between religion and life, and between sacred and secular. There is no secular realm from which God is absent."

A rabbi of Britain's Reform synagogues spoke out in support of the Church of England report. Dr Jonathan Ransin, of Maidenhead Synagogue, said: "Judaism has long pre-empted the findings. According to Jewish law, a couple who have not had any formal ceremony of union but who live together in the same home in a stable relationship are considered husband and wife and their children were considered fully legitimate."

"In other words, cohabitation meant marriage. What was and still is condemned was any relationship that was adulterous or incestuous."

Janet Daley, page 20

## Adultery suspicions 'spice a marriage'

By RUTH GLEDHILL, RELIGION CORRESPONDENT

EVERY married person should be consumed with doubt that their spouse is having an affair, according to *The Jewish Guide to Adultery*, published tomorrow. Such suspicions mean that people do not take their husbands and wives for granted, the author argues.

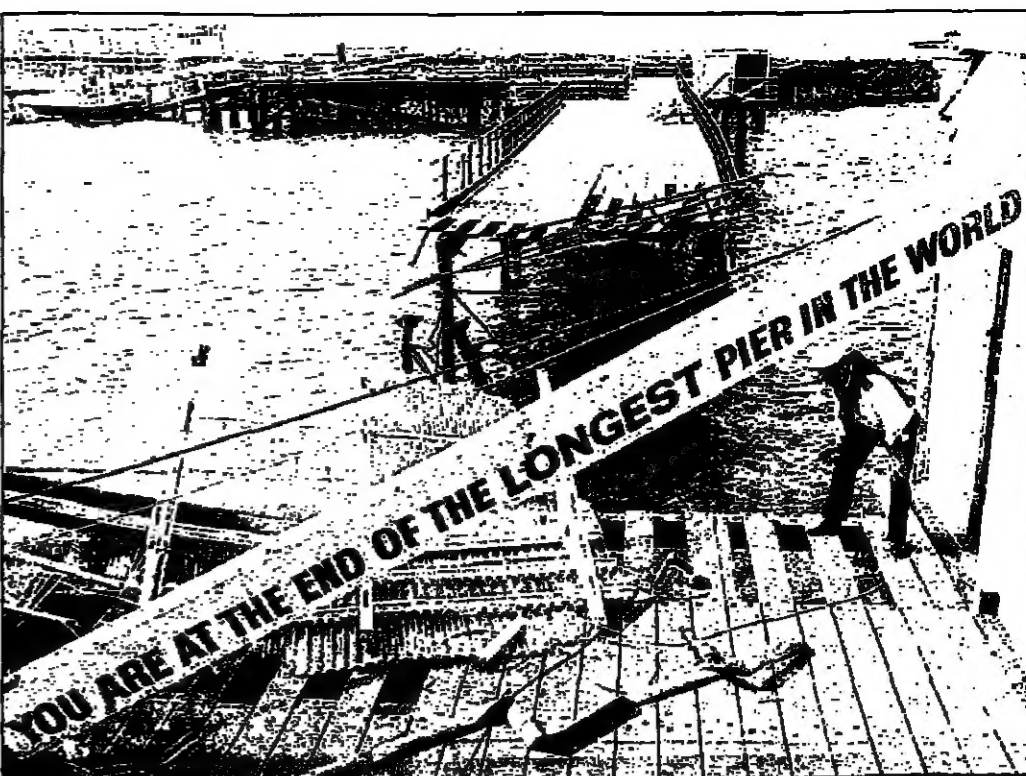
It is "absolutely healthy" for a husband waiting at home for his wife to worry about who she is with, says Rabbi Shmuel Botach, who lives in Oxford and counsels couples. The American-born rabbi says

that the man who does not worry "is convinced his wife is not the type to have an affair, meaning she's boring and non-sexual".

A husband who feels "smug and secure" about his wife's fidelity when he is on a business trip "doesn't feel drawn to his wife from that great distance". Rabbi Botach says: "Every married person should be always aware of the fact that, at any moment, even your most loving spouse is fully capable of committing adultery."



Southend pier ablaze in October 1959, left, when the ballroom was destroyed, and in 1986, right, when it was cut in half by a boat. It was restored for £3 million in 1990



## 'The windiest walk to nowhere known to man'

SOUTHEND pier, the longest pleasure pier in the world, has a unique, if draughty, place in British history. One British queen preferred the view of the pier to the sight of her king: Caroline of Brunswick abandoned George IV to live in Royal Terrace overlooking the pier.

The arrow-like structure's cast-iron piles and timber decking stretch for 2,360 yards into the Thames Estuary. They made, locals liked to boast, "the windiest walk to nowhere known to man".

In its heyday the pier attracted up to five million visitors a year, yet during the Second World War it also performed a vital defence function, protecting London during

■ The future of Southend pier is in doubt again. Robin Young looks at its accident-prone history

the Battle of the Thames. The pier served as assembly point for the sailing of more than 3,000 convoys, a total of 84,000 ships, its single-track railway carrying supplies to the boats and risking casualties from naval battles.

Yesterday's disastrous fire — the third at the pier — puts its future once more in grave doubt, after a £3 million restoration in time for its centenary only five years ago. The ballroom was destroyed by fire in

1959 and another fire in 1976 destroyed the "new" pierhead and three-storey pavilion with cafes, theatre and amusement arcade, which had been added in 1908.

Then in 1986 an errant coaster, the *King's Abney*, sailing on auto-pilot, plunged through the pier, cutting a 60ft gap between the old and new pierheads, severing the lifeboat slipway, stranding six fishermen and collapsing two shops and a gents' lavatory in the process.

Though the council had already been considering demolition before that disaster, the passionate lobbying of a Save Southend Pier Society, helped by an insurance payout and vigorous local fundraising, saved the pier.

However, the hoped-for commercial deal to restore the pavilion and install a "leisure scheme" on the refurbished pierhead proved elusive, and the pier remained notably short of pleasures. They amounted to a few snack bars and kiosks and the Jolly Fisherman pub, with two trains on the railway making the 12-minute journey to the pierhead.

When first built, the pier had a purpose. Southend was dogged by

its lack of a deep-water harbour. None of the steam cruisers which plied a profitable trade up the estuary from Greenwich could dock until the pier was built.

Of the 100 Victorian piers which were built around Britain, only half now survive. Of those, eight are closed or under threat. Owners have applied for National Lottery money to help to save piers, which can cost between £25,000 and £250,000 a year to maintain. Yet one new pier is taking shape at Weston-super-Mare, Avon. It is the first to be built in 80 years and town planners hope it will rejuvenate the resort.

Fire damage, page 1

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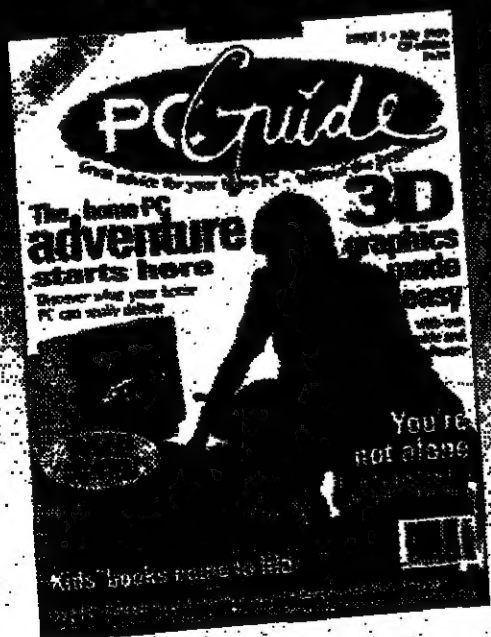
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Mr Powertool's TV stunt 'went beyond acceptable standards of taste'

## Watchdog gives formal warning to The Word

BY ALEXANDRA FREAN, MEDIA CORRESPONDENT

CHANNEL 4's youth programme *The Word*, which has become a byword for bad taste and juvenile pranks, received a formal warning from a broadcasting watchdog yesterday.

The Independent Television Commission expressed its strong objection to a stunt on the late-night show in which a man, known as Mr Powertool,

dragged a woman on a chair across the studio using a rope attached to his penis. As Mr Powertool lifted his kilt to show where the rope was attached, his penis was clearly visible.

The commission also condemned an item broadcast just before Christmas in which a man dressed as Santa Claus vomited over a victim and about another prank in which an elderly man's colostomy bag, containing fake urine, was emptied over another person.

In its ruling the commission, which regulates and licenses commercial television, recognised that *The Word*'s youthful audience and its late evening transmission meant that it was unlikely to cause general offence. It concluded, however, that Channel 4 had breached the terms of its broadcasting licence. "The element of debasement of the individuals involved in these items was

Dani Behr and Terry Christian, presenters of *The Word*, late-night pop and pranks watched by two million

among the factors which took them over the edge of acceptable standards of taste and decency required by the Broadcasting Act," the commission said.

It added that the colostomy bag stunt also breached guidance given in the commission's programme code on jokes about disability.

Michael Grade, chief executive of Channel 4, said that the commission appeared to be "out of touch" with the audience that had enjoyed *The Word* for five years. He added that the Broadcasting Standards Council, which re-

sponds to viewer concern about taste and decency, had rejected complaints about the same items. "While we fully respect and support the commission's statutory role, today's rulings are concerned with highly subjective judgments of individual taste."

The official warning — the second Channel 4 has received in two years — has thrown doubt over whether *The Word* will be recommissioned. However, Mr Grade, who has repeatedly called for an overhaul of television regulation, added: "These ITC rulings will not influence our decision

either way about the future of *The Word*, which will be taken later this summer during our annual budget round in the usual way."

The series, which has an audience of two million, has always aimed to be outrageous. In March, Sir Michael Bishop, the station's chairman, ordered an inquiry after *The Word*'s producers flew a 14-year-old runaway boy to New York for an interview. The item was dropped after the boy's headmaster complained that the trip appeared to be a reward for his trip, which had sparked an inter-

national manhunt and led to theft and fraud charges. Channel 4 has been ordered to transmit a Broadcasting Complaints Commission ruling criticising one of its programmes after a complaint from two former Chancellors.

The commission found that Lord Howe of Aberavon and Lord Lawson of Blaby, after inspectors visited him, Kevin Maxwell, 36, denies conspiring with his father to defraud pensioners of shares worth £100 million in Scitex. With his brother Ian, 38, and two former Maxwell executives, Larry Trachtenberg, 42,

## Maxwell pension chief kept quiet over missing cash

BY JON ASHWORTH

THE manager of the Robert Maxwell pension funds accepted yesterday that he failed to alert regulators about a missing £100 million after the publishing tycoon's death.

Trevor Cook, former administrator of Bishopsgate Investment Management, told the Old Bailey that he saw no need to tell regulators about a five-week delay in payment for shares in the Scitex Corporation when they visited him in late November 1991.

Alun Jones, QC, for Kevin Maxwell, put it to him: "Here are the regulators, you had been £100 million short for a period of five weeks, hadn't been paid... Didn't you say: 'I have been swindled by Kevin Maxwell and his buddies'?"

Mr Cook said that he made no such allegation because he "didn't know the precise story". He denied that he had been embarrassed by fear that he might be thought incompetent for losing the money.

Mr Cook, the first witness in the trial of Kevin and Ian Maxwell, told the court that the Investment Management Regulatory Organisation took action "right from the top" after inspectors visited him. Kevin Maxwell, 36, denies conspiring with his father to defraud pensioners of shares worth £100 million in Scitex. With his brother Ian, 38, and two former Maxwell executives, Larry Trachtenberg, 42,

and Robert Burn, 47, he also denies conspiring to defraud pensioners of a further £22 million of shares in Teva Pharmaceutical Industries.

Mr Cook said he had raised the issue of the Scitex shares with Robert Maxwell the day before the publisher flew to the Canary Islands in October, and saw no reason for concern. "He seemed very relaxed and there didn't seem to be a problem at that stage."

Mr Cook expressed his growing concern in a memo to Kevin on the Monday after his father's death — 24 days after the Scitex shares were sold. He rejected a suggestion by Mr Jones that he only started to write memos about the missing money when "it looked as if the group was in serious trouble".

Christopher Wright

A photograph of a man accompanying a report of the Maxwell trial (June 1) was incorrectly identified as Robert Burn, one of the defendants. It was, in fact, Christopher Wright, a senior partner in the London law firm Roys Treadwell, and head of the private client department. Neither Mr Wright nor his firm has any connection with the Maxwell trial and we apologise for the error.



Grade critic "out of touch" with viewers

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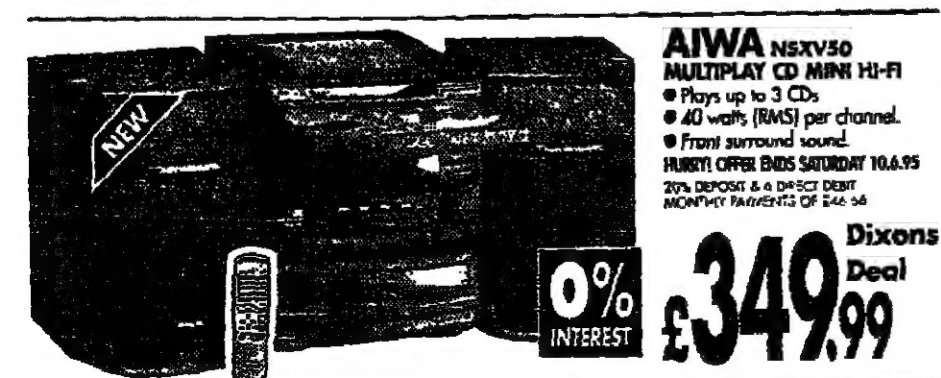


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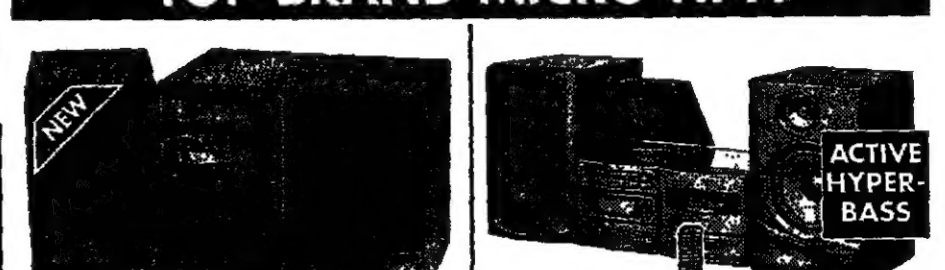
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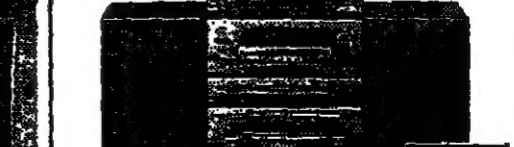
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## Farmers 'sold milk on black market'

BY MICHAEL HORNSBY, AGRICULTURE CORRESPONDENT

THREE dairy farmers are to appear in court later this month, charged with selling milk on the black market to escape European Union levies on over-production. Dozens of other farmers are being investigated by the Ministry of Agriculture, which is expected to announce further prosecutions soon.

Alan Woodhouse, of Marston Montgomery, Derbyshire, and Hayden Whitfield, of Doveridge, Derbyshire, are due to appear before Matlock magistrates on June 22. John Alcock, of Leek, Staffordshire, has been summoned to Leek Magistrates' Court on June 29.

All three face charges under the Dairy Produce Quotas Regulations of 1994. Mr Woodhouse and Mr Alcock are charged with seven offences each and Mr Whitfield with nine. The maximum penalty is a £5,000 fine for each offence.

The Ministry of Agriculture launched an investigation in November after receiving reports that dairy farmers were seeking illegal outlets for surplus milk. Dealers in camouflaged lorries were said to be buying the milk at about half the normal price and selling it directly to milkmen and corner shops.

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A study centre is to be opened in Cheltenham on June 16 in memory of three poets, including Robert Frost, who lived near by in Dymock before the First World War.

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A preservation order has been put on a 165-year-old wisteria at Royal West Sussex Hospital, Chichester, which is to be turned into flats. The shrub covers the 200ft frontage.

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# Court win keeps Fort William sleeper on rails

By Gillian Bowditch, Scotland Correspondent

THE battle to save the sleeper train from London to Fort William moved a step closer to victory yesterday when three Scottish Appeal Court judges ruled that British Rail could not abolish the service without going through the proper consultation process. The ruling means that the sleeper service will continue for at least three months.

Duncan McPherson, convener of Highland Regional Council, which brought the legal challenge, said he was delighted by the decision but added that the battle was not yet over. "We will continue to fight for the Fort William sleeper," he said.

John Ellis, the chief executive of ScotRail, said he was disappointed in the ruling. He said the service cost £2.5 million a year and would break even only if it was running at 100 per cent capacity.

Mr Ellis suggested that BR

may have to ask other bodies such as the Highland Regional Council for financial support for the service. "If organisations in the Highlands believe that the service is vital for the economy and for tourism they may be prepared to contribute to the costs," he said.

The Appeal Court ruling delivered by Lord Hope, the Lord President and Scotland's most senior judge, upheld the original decision by Lord Kirkwood last month. The latest ruling said BR had acted illegally in introducing "ghost trains" to try to avoid costly and time-consuming statutory closure procedures.

Lord Hope, sitting with Lords Allanbridge and Osborne, said BR had admitted that the "ghost trains" were of no service to the public. He said: "It is difficult to believe that Parliament could have intended that these procedures could be defeated by the

provision of a service on that line which is admitted to be of no benefit to the travelling public."

British Rail, which was ordered to pay costs, admitted that because the ghost services were now on the timetable, they would have to keep running them. Mr Ellis said the attempt to close the sleeper service to save money had resulted in marginally higher costs.

He said it was too early to say whether BR would appeal to the House of Lords. It has three months in which to do so. "We are obviously disappointed. We will have to look at all the options open to us. That may include asking the Government for more money," he said.

The British Rail Board will be briefed on the appeal's failure at its regular monthly meeting in London today. Its options also include full consultation on closure, which is



The London to Fort William sleeper will be preserved for at least another three months by the latest court ruling

likely to take at least three months, or keeping the service open for good. If BR does decide to preserve the line, it is unlikely to mean cuts in other services in Scotland. "We are not going to do anything special," one BR source said.

Michael Meacher, Shadow Transport Secretary, said: "This judgment puts the Government's whole privatisation programme into total disarray. This was the first challenge to a closure under the 1993 privatising legislation and it now must be certain that any further attempts to cut services by British Rail or private operators will also be overturned in the courts."

Liberal Democrat MP who has been involved in the campaign to save the service, said: "The message to BR is quite clear - climb down. It will kill its credibility if it tries to take its case to the House of Lords."

Iain MacDonald, Fort William's regional councillor, said: "This is wonderful news. Justice has been done and I hope that this is the end of the matter and British Rail accepts the judgment. The line is one of the most beautiful in the world and, if marketed properly, could be viable."

## Prisoners warn off vandals at bishop's request

By Paul Wilkinson

WHEN a church community centre was vandalised two days after it had been opened by the Duchess of Kent, the Bishop of Hull knew who to turn to. He wrote to the prisoners of Hull jail explaining that he was not best pleased and requested that they "put out the word".

The letter appeared to have the desired effect: there has been no further vandalism. "I am greatly encouraged," the Right Rev James Jones said. After vandals smashed into the St Margaret's Church centre on Hull's notorious Longhill estate and caused hundreds of pounds of damage, it took a team of 20 volunteers almost three hours to clear up. Doors had been pulled off and windows and equipment smashed.

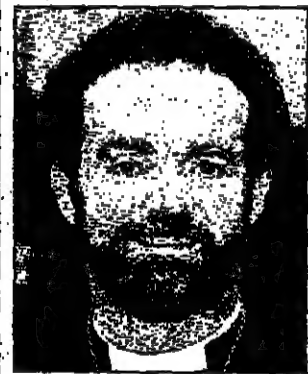
Lisa Johnson, a project worker, said: "We have suffered a lot of vandalism with windows being broken, but during the break-in they just ransacked the building."

The bishop, who took over his post in November, had met a group of prisoners at the jail earlier this year and was impressed with their positive reaction. "So when the centre was devastated only two days after the Duchess's visit last March, I decided to write to them seeking their assistance," he said.

He asked the inmates, more than 90 per cent of whom come from the Humberside area, to put out the word on the streets to leave the centre alone. The response, through the prison chaplain, was that it would not be touched.

The bishop said: "One of the ways we can prevent crime is by giving people a sense of ownership in their community. If they feel they belong to somewhere they are less likely to damage it."

Rannoch Daly, the Governor of Hull prison, which has 400 inmates, said: "This is a very good attempt at improving community relations. Many prisoners here come from that area and knew what the bishop was talking about."



Bishop Jones wrote to Hull jail inmates

## Cyclists to be given priority on roads

By Jonathan Pryor, Transport Correspondent

THE Government apologised to Britain's one million regular cyclists yesterday for decades of neglect as the "poor cousins" of the highways and signalled a shift in its policy on cycling.

Steven Norris, the Local Transport Minister, told MPs in a short Commons debate that he intended to put cycling "at the centre of our strategy" as an effective way to tackle urban congestion. Mr Norris, a former car salesman, said cycling had been "hugely undervalued" in Britain and cyclists long treated as poor cousins to the car driver.

The minister and government officials are to meet representatives of cycling organisations, local authorities and other road users before publishing its first cycling policy document.

Transport Department officials said yesterday that spending on cycling was likely to rise sharply with the Government looking favourably on local authorities that promoted cycling. The move was hailed as a breakthrough by cycling campaigners.

Leading article, page 21

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# Battlefields fight off threat from developers

By IAN MURRAY

BATTLEFIELDS including Hastings, Bosworth and Marston Moor were given protection from obtrusive development yesterday.

Forty-three sites have been included in the English Heritage Battlefields Register, which also aims to encourage sympathetic tourism schemes. The listing gives the sites special status that will have to be taken into consideration if new roads or buildings are proposed in the area.

Shrewsbury and Chalgrove were not included in the provisional list of sites because they were considered skirmishes, but they were added to the final list after public pressure. Shrewsbury, where Henry IV defeated Sir Henry Percy in 1403, was added after a submission by the actor Robert Hardy, an authority on medieval archery. Last year *The Times* carried a series of articles on the threat to battlefields from development and unregulated tourism.

English Heritage was persuaded to begin listing the sites after the Department of Transport won permission in 1991 to build the M1-A1 link



road across the Civil War battlefield of Naseby, Northamptonshire, despite opposition from historians and conservationists.

The battlefields will not have the same protection as historic buildings, but English Heritage expects the list to

have a significant influence on councils and inquiry inspectors. It hopes there will be a presumption against development on any part of a battlefield, except when there is no alternative.

Jocelyn Stevens, chairman of English Heritage, said the register had "lit a torch for this country's battlefields and we now look to landowners, developers and local authorities to help us carry it forward".

The list has come too late for one town. The High Court decided yesterday that a by-pass and 1,000 homes could be

built on part of the site where the Battle of Tewkesbury is believed to have been fought in 1471. A 5½-year fight by Bovis Homes came to a successful end when Mr Justice Harrison refused an application to quash the planning permission approved last Oc-

tober by John Gummer, the Environment Secretary. The judge said that although guidance from the Environment Department stated that development on battlefields should be avoided, there was uncertainty about the exact site of the clash



## LISTED SITES

Tewkesbury, 1471: one of 43 battle sites listed: 1. Maldon, Essex, 991; 2. Stamford Bridge, North Yorks, 1066; 3. Hastings, 1066; 4. Northallerton, North Yorks, 1138; 5. Lewes, East Sussex, 1294; 6. Evesham, Hereford and Worcester, 1265; 7. Myton, North Yorks, 1515; 8. Boroughbridge, North Yorks, 1525; 9. Halston Hill, Northumberland, 1533; 10. Neville's Cross, Co Durham, 1346; 11. Clontarf, Northumbria, 1388; 12. Hornsdown Hill, Northumbria, 1402; 13. Shrewsbury, Shropshire, 1403; 14. Stone Heath, Staffs, Northumbria, 1482; 15. Towton, North Yorks, 1461; 16. Barnet, North London, 1471; 17. Tewkesbury, Glos, 1471; 18. Tewkesbury, Glos, 1471; 19. Tewkesbury, Glos, 1471; 20. Tewkesbury, Glos, 1471; 21. Tewkesbury, Glos, 1471; 22. Tewkesbury, Glos, 1471; 23. Tewkesbury, Glos, 1471; 24. Tewkesbury, Glos, 1471; 25. Tewkesbury, Glos, 1471; 26. Tewkesbury, Glos, 1471; 27. Tewkesbury, Glos, 1471; 28. Tewkesbury, Glos, 1471; 29. Tewkesbury, Glos, 1471; 30. Tewkesbury, Glos, 1471; 31. Tewkesbury, Glos, 1471; 32. Tewkesbury, Glos, 1471; 33. Tewkesbury, Glos, 1471; 34. Tewkesbury, Glos, 1471; 35. Tewkesbury, Glos, 1471; 36. Tewkesbury, Glos, 1471; 37. Tewkesbury, Glos, 1471; 38. Tewkesbury, Glos, 1471; 39. Tewkesbury, Glos, 1471; 40. Tewkesbury, Glos, 1471; 41. Tewkesbury, Glos, 1471; 42. Tewkesbury, Glos, 1471; 43. Tewkesbury, Glos, 1471.

## Witness pursued thief by taxi

By MARIANNE CURPHEY

A GROUP of bus passengers were praised in court yesterday for pursuing a thief on foot and by taxi after he snatched a woman's purse.

"I have never heard of a case with so many Good Samaritans coming forward to help," Ros Keating, a magistrate in Horseferry Road, central London, said before judging Oscar Simister, a mini-cab driver, for 60 days.

The court was told that Simister, 37, was on the bus when he stole the purse from the bag of Carolina Arrow-smith. However, he was seen by Nancy Cabrera, another passenger, who kept her eye on him until he got up to leave the bus. Miss Cabrera then stood up to block his way and raised the alarm.

Simister pushed past her and the conductor and fled, chased by Miss Arrow-smith and George Nader, another passenger. Miss Arrow-smith tripped and had to give up the chase but Mr Nader remained in hot pursuit through Knightsbridge.

When Simister hailed a taxi, Mr Nader followed in another. At Sloane Square Mr Nader found a police officer who stopped Simister's cab and he was arrested. He admitted stealing the purse and its contents, worth £130.

## Sports car owner battered by thugs

By MICHAEL HORSNELL

A GANG of thugs took exception to a businessman who was using a mobile telephone as he sat in his £20,000 Lotus Esprit and savagely beat him, breaking his arm and cheekbone.

Police investigating the unprovoked attack in Beaconsfield, Buckinghamshire, which also left the victim with two teeth missing, have attributed the attack to "yuppie-bashing".

Alan Jacoby, 39, the director of a transport firm from Wendover, said that three youths banged on the roof and bonnet as he telephoned his girlfriend and told him: "We don't like your car." Mr Jacoby said: "I felt trapped in the car so I got out to see what they were doing and all three of them attacked me." They then walked away laughing.

Mr Jacoby said: "If I had been in a Mini it wouldn't have happened." He telephoned the police on his mobile phone and after surgery to his arm, which was broken in two places, he was kept in hospital for five days.

Police, who said he was probably attacked for his status symbols, arrested two men who were released on bail pending further inquiries. A police spokesman said: "It was a vicious attack."

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مكتبة النور



## Euro-sceptics want manifesto pledge to boycott single currency

By PHILIP WEBSTER  
AND NICHOLAS WOOD

EURO-SCEPTIC Cabinet ministers are to seek to persuade John Major that the Tory party should enter the next election with a manifesto promising that Britain would not join a European single currency in the lifetime of the following Parliament.

They are to argue that there are solid political and economic reasons for taking such a stance without compromising Britain's place in Europe or upsetting the fragile truce within the party between the Euro-sceptics and the

pro-Europeans. But their strategy will come under immediate attack today from Lord Howe of Aberavon, the former Chancellor.

Putting himself at the head of a pro-European backlash against the sceptical shift inside the Government, he will give warning that postponing a decision until well after the 1999 deadline would amount to a British rejection of economic and monetary union.

Lord Howe's intervention will be bolstered by a report from a team of economists, politicians and businessmen chaired by Lord Kingsdown (the former Bank of England Governor Robin Leigh-

Pemberton), which concludes that Britain would be better off inside a single currency. The report will be published by the Action Centre for Europe, which counts Kenneth Clarke, David Hunt and Stephen Dorrell on its council, although they are not personally committed to its findings.

Pro-European Tories are becoming increasingly alarmed by the swing to the Right in government policy over Europe and by hints that the Prime Minister is prepared to go further to appease disaffected backbenchers and head off the threat of an autumn leadership challenge. Edwina

Currie, chairman of the Conservative Group for Europe, said yesterday that if the sceptics were not halted, Britain's continued membership of the EU would be in jeopardy by the end of the decade.

The Kingsdown report will criticise the Prime Minister's insistence that the arguments over a single currency need not be addressed until the late 1990s and will call for an immediate debate. It will also say that a single currency is of such immense political significance that, if Britain stood aside, it would be pushed to the margins of the EU.

Lord Howe is expected to cau-

tion against a repetition of the long delay over joining the ERM and to maintain that Britain would suffer economically if it failed to participate in a single currency from the outset.

Despite pressure from hardline backbenchers and some of Mr Major's advisers for him to rule out a single currency now, sources on the Cabinet Right say that they are relaxed about the Government's current line. This combines a scepticism about the prospect of Britain ever joining a single currency with a refusal to rule it out forever. The formula has been accepted by pro-Europe-

ans including Mr Clarke, Michael Heseltine and Douglas Hurd.

But while rightwingers say they are happy for that position to be maintained, they argue that by the time of the election the Conservatives should take a stance for the following four years. With the likelihood of a single currency before 1999, they say that a manifesto pledge in 1997 to stay out during the following Parliament should be possible even for the pro-Europeans to agree to. They believe such a stance would unite the party and distance it from Labour.

Mrs Currie's remarks came as

pro-European politicians of all parties in the European Movement launched a counter-offensive aimed at winning public support for their cause. Giles Radice, the former Labour Shadow Cabinet member who has taken over as chairman of the European Movement, said: "The antics of the Euro-sceptics are no longer just damaging our relations with our European partners; they are threatening our membership of the European Union itself. It is our duty to expose their backward-looking, xenophobic, nihilistic and fundamentally unpatriotic agenda."

## Brown demands end to executive share options

By JILL SHERMAN, POLITICAL CORRESPONDENT

GORDON BROWN, the Shadow Chancellor, called on Sir Richard Greenbury yesterday to back the abolition of executive share options when he makes his recommendations on top directors' pay next month.

Executive share options "could not survive" as a method of performance-related pay for company executives and were in need of "very big reform", he said. He believes that performance should be rewarded — through bonuses — but wants to end the system under which a director can exercise the option to buy cut-price shares and then sell them the same day for a large profit.

Speaking at a press gallery lunch at Westminster, Mr Brown also put pressure on the Greenbury committee to support legislative changes to help to curb excessive pay awards. These should include taxation of executive share options, and a requirement for shareholders to give prior approval for all pay and perks packages for company executives, including pension packages, he said. In addition members of remuneration committees should be elected by shareholders, to avoid directors awarding themselves big pay rises.

Mr Brown used yesterday's lunch to increase the pressure on Sir Richard in the light of

reports that he was likely to steer away from controversial recommendations. Senior members of the Government are opposed legislative changes and there are fears that privatised utility executives will escape with no legal curbs on their pay.

Mr Brown said that any reform of corporate arrangements that did not end the "tax privileges" on share options and ensure they were taxed as income would fail to stem public anger.

Labour's plans to reform corporate arrangements are to be published in a document to be approved by the party's national policy forum in Reading this weekend. Five policy documents will be discussed at the weekend meeting attended by constituency party members, trade unionists and local authority representatives.

One of the most controversial is likely to be the health policy document, detailing the proposed abolition of the internal NHS market. NHS trusts will survive in name but their relationship with health authorities will change. They will lose much of their autonomy, including the freedom to handle their own budgets, by being made more accountable to health authorities. Local pay deals will essentially be abolished in a move to centralise pay determination.

GP fundholding, under which some doctors are given their own budgets, will be abolished but all GPs will be expected to work more closely with health authorities.

The document is expected to concentrate on how a Labour government would change the present structures of the Tory reforms: NHS trusts and GP fundholding. However, a further document fleshing out a more comprehensive health policy is expected later in the year or next year.

Tony Blair is expected to adopt a similar approach to education. A document spelling out Labour's structural proposals for grant-maintained schools and locally managed schools will be published this month and will go before this year's party conference. A further document spelling out the needs for better standards in education will be produced in the autumn.

The national policy forum will also be asked to approve an economic document, proposing that there should be no formula or rate for the minimum wage before the general election. The report will call for a commission to be set up with members from trade unions and the Government to set the rate in the light of prevailing economic conditions once Labour is elected.



## Blair heralds new cut in union vote

By PHILIP BASSETT  
INDUSTRIAL EDITOR

TONY BLAIR is expected to bring forward proposals for cutting the power of the unions in the Labour Party after warning them yesterday that Britain would not allow them to act as an elected government.

In his toughest statement yet on Labour's new relationship with the unions, the Labour leader emphasised that there would be no going back to the old ways. But he also gave commitments to pro-union rights at work, promising to repeal the re-

quirement for repeated ballots to sanction the check-off system of deducting union dues from pay.

Mr Blair told the GMB general union's annual conference in Brighton that the "institutional relationship" between Labour and the unions would continue to undergo great change. For the first time he confirmed a further cut in union voting strength at party conferences, which now stands at 70 per cent. "Soon the vote of affiliated organisations at party conference will come down to 50 per cent."

The party leadership looks

likely to take proposals for such a reduction to the national executive in time for them to be put to the party's annual conference in the autumn. It is likely to be approved thanks to support from large unions such as the GMB and TGVW transport workers.

John Edmonds, GMB general secretary, welcomed the move, but warned the party that it should hesitate before trying to reduce the unions' vote below 50 per cent.

Mr Blair told the conference that Labour's relationship with the unions in the 1960s and 1970s "did little

good for either Labour or the trade unions, and it was not right in principle."

He said: "There will be no switching back the clock. The people of this country want healthy, free trade unions capable of representing properly the interests of their members. But they do not want them ever confused with the elected Government."

Trade unions were service organisations and their members were customers. "The brutal fact is unions will live or die not by the influence they wield over the Labour Party, but by the services they provide to their members."

## Policy omissions mean much work for Labour

Robin Cook claimed yesterday that most of Labour's policies would have been put in place by the autumn. With a theatrical flourish, he pointed to piles of policy documents and said these already added up to 60 pages more than the copy of Trollope's *Barchester Towers* beside him. (He declined to suggest who might be his party's Obadiah Slope.) But quantity is not sufficient in itself.

So far, through a mixture of pre-emptive speeches from Tony Blair and Gordon Brown and formal statements, Labour has set out its broad approach on, for example, Europe (pro in tone but inter-governmental in detail), macro-economic policy (an explicitly cautious fiscal and monetary framework), constitutional reform (in favour of a bill of rights, Scottish and Welsh devolution and freedom of information), and industrial policy (tightening up regulation of utilities and competition policy).

This weekend, at the national policy forum in Reading, papers will be considered on macro-economic policy, the principles of taxation and helping the unemployed into work, crime, access to justice and health. A paper on local government, dealing with the end of compulsory competitive tendering and council tax capping, is due soon. But even in these areas, uncertainties remain: would a Labour government aim for a balanced budget or accept a continuing

### RIDDELL ON POLITICS

small deficit? Even if Labour is not going to set out individual tax rates now, how progressive would its tax structure be? And what reserve powers would a Labour Environment Secretary want over rogue councils?

There are also big omissions. The leadership is still wrestling with how to finance higher education and the future status of grant-maintained schools, how to produce a more robust and coherent policy on regional government for England (probably a step-by-step approach depending on local consent), and the future structure of social security. In short, how far Labour has really changed its attitude to public spending, and how far does Labour accept a more decentralised and market-based approach to public services? Implicit is the Tory jibe about whether Mr Blair has really succeeded in changing his party.

Anyone reading tomorrow's issue of *Tribune* would believe old Labour is alive and kicking. The paper presents a radical socialist manifesto, with contributions from dissenting backbenchers such as Peter Hain and Roger Berry, left-wing members of the Shadow Cabinet such as Michael Meacher, and academics such as Peter Townsend. Many of their ideas for large-scale redistribution are totally at odds with

Mr Blair's approach. Conservative Central Office researchers will be able to add up promises amounting to tens of billions of pounds with no hint of a financial constraint.

Mr Blair still has a long way to go in re-educating his party. His victory over the rewriting of Clause Four was crucial as a symbol, but it was only a start. He underlined his commitment to further change in a speech to the GMB conference yesterday. He re-defined Labour's relationship with the trade unions in explicit terms, saying he would never draw a line under internal party reform. The unions' relationship with Labour would continue to develop. His emphasis throughout was on boosting individual party membership and diminishing the role of union bloc votes.

No one can any longer complain that Labour lacks policies. But there are still big gaps and evasions. If Labour is to be successful in office, it has to face up now to the likely conflicts between its spending aspirations and tax and borrowing limits. Talking tough and lowering expectations are not enough. The implications for public services and pay have to be recognised. Otherwise, there will be the same disillusionment which so damaged the Wilson governments. Labour still has plenty of policy thinking and making to do.

PETER RIDDELL

## Hamilton escapes sanction over Ritz hotel stay

By ARTHUR LEATHLEY  
POLITICAL CORRESPONDENT

LABOUR MPs proclaimed the end of the Commons disciplinary system last night after Neil Hamilton, a former minister, escaped punishment for failing to declare a free stay at the Ritz hotel in Paris.

In a decision dismissed by Labour MPs as a whitewash, a Commons report concluded that Mr Hamilton had broken MPs' rules but that no action should be taken against him.

Mr Hamilton resigned as a corporate affairs minister after accusations that he failed to divulge details of his 1987 visit to the Ritz — worth £3,600 — as a guest of Mohamed Al Fayed, the owner of the hotel and of Harrods.

The decision, by the Commons Members' Interests Committee, angered its Labour members, who said that it brought closer the widespread reforms of the Commons proposed last month by Lord Nolan. Labour MPs boycotted the final stages of the six-month investigation in protest.



Hamilton broke Commons rules

at the refusal of Tory MPs to consider more serious allegations — denied by Mr Hamilton — that he accepted £6,000 of Harrods vouchers from Mr Al Fayed. Tory MPs maintained that investigating the allegations might jeopardise a libel action being pursued by Mr Hamilton.

Angela Eagle (Lab, Wallasey) said last night: "The conclusions of the report are 'Tory ones' and have been diluted. This is a whitewash and a travesty. The action of the Tories have led to the death of the committee."

Last night Mr Hamilton said that many MPs, including Shadow Cabinet members, had been similarly confused by the Commons rules and had belatedly declared foreign trips and hospitality. He added: "I welcome the fact that there is no suggestion in the report that there was any improper motive on my part in not registering my stay at the Ritz hotel in 1987."

### IN PARLIAMENT

YESTERDAY in the Commons backbench debates were followed at 2.30pm by questions to Foreign Office ministers and a debate on the Criminal Justice (Scotland) Bill, in the Lords debate on a call for an independent inquiry into funding of political parties. TODAY in the Commons: questions to agriculture and fisheries ministers and the Prime Minister will be followed by debate on the proposed disclosure of debates on committee papers relating to the Union; co-operation agreements with Russia and Ukraine, in the Lords: debates on the Home Energy Conservation Bill, third reading; Criminal Appeals Bill, committee stage; the Carers (Recognition of Services) Bill.

## Video shows way to junket savings

By JAMES LANDALE  
POLITICAL REPORTER

CUTS in MPs' fact-finding junkets across the world could be heralded today when a House of Commons committee takes evidence by video conference in Parliament for the first time.

The 11-strong Foreign Affairs Select Committee will become the first group of MPs willingly to avoid the chance of a freebie to the far east when it interviews Chris Patten, the Governor of Hong

satellite. Although the Trade and Industry Select Committee has held a live link-up from the Queen Elizabeth II conference centre, today will be the first time MPs have taken evidence by video conference in the Palace of Westminster. At £6,000, the trial is cheap but is unlikely to win broad support from MPs if they have to cut back on their popular but expensive trips abroad.

David Howell, the committee's chairman, said that video conferencing could cut short trips for what he called "talking-head to talking-head opera".

Westminster and the European Parliament and Commission in Brussels. "It's all very experimental," he said. "We will just have to see how it goes."

However, he was confident that fact-finding trips would still be needed. "There is no substitute for going to downtown Sarajevo," he said.

As if to prove that the new technology has not entirely won them over, the Foreign Affairs committee is off to Washington on Monday to meet State Department officials and members of Congress. The MPs will then split up

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French leader seeks advice on Pacific explosions

## Chirac bows to pressure over nuclear tests ban

FROM CHARLES BREMNER IN PARIS

PRESIDENT CHIRAC appears to have bowed to international pressure to postpone the resumption of French nuclear tests in the South Pacific.

Advisers said M Chirac wanted to consult widely with experts for weeks before deciding whether to order the resumption of the underground tests, suspended by President Mitterrand in 1992. The freeze, acclaimed by campaigners and non-nuclear states was followed by Britain, the United States and Russia. China continued testing — most recently last month — but all the nuclear powers are expected to agree next year to a total test ban.

Reacting to earlier signs that a decision could be imminent, New Zealand warned France on Tuesday of its "deep concern", and Greenpeace, the environmental group, said it was sending its vessel *Rain-*

*bow Warrior II* to the test area. Ten years ago next month French secret service agents blew up the original *Rainbow Warrior* in Auckland harbour, killing one man.

The United States joined the calls for France not to resume nuclear testing. "We hope that all of the other nuclear weapon states will decide to continue the moratorium, despite the recent Chinese test," the State Department said in a written reply on Tuesday to a question about French plans.

Military experts have been arguing since 1993 that France must conduct a limited series of explosions at its site at Mururoa atoll to ensure the safety of its existing arsenal, to try out new weapons and to prepare for limiting future testing to laboratory simulation. During his election campaign, M Chirac attacked Edouard Balladur, the then

Prime Minister and his rival, for agreeing to the moratorium and promised to take swift action to ensure the effectiveness of French weapons. This was taken to mean a resumption of testing.

On Tuesday, Alain Juppé, the Prime Minister, ordered Charles Millon, the Defence Minister, to prepare a full report "with all the necessary elements" to take a decision. Aides said M Chirac also wanted the opinions of political and diplomatic experts.

The decision is a tough one. As a Gaullist committed to the preservation of the *force de frappe*, M Chirac should logically approve the ten or so tests that which Admiral Jacques Lanxade, the armed forces Chief of Staff, has told him are vital. Jacques Baume, a prominent Gaullist MP, put the case yesterday: "Once you believe that the maintenance

of our nuclear dissuasion, as conceived by General de Gaulle, is essential for our security, it is obvious that one cannot either let it age nor become ineffective."

There is little public opposition in France although Lionel Jospin, the defeated Socialist presidential candidate, said this week that resumption would "run counter to the evolution of history". New tests would, however, open France to outrage from the Pacific states and an outcry from other nations. Paris would be accused of hypocrisy in its drive to fight nuclear proliferation and the coincidence with the fiftieth anniversary of Hiroshima and Nagasaki would not help.

Insiders were recalling yesterday that M Mitterrand said in 1992 that world opinion would prevent his successor from resuming tests.



Assimakis Katsoulas, 23, left, Emmanuel Dimitrakakis, 21, and Dimitra Margefi, 20, in court in Athens yesterday accused with five other people of taking part in black magic rituals that led to the

### 'Black magic' trial begins

deaths of several women. The two men are accused of raping and murdering two women and a 15-year-old girl.

They each face three life sentences if found guilty. Mr Katsoulas yesterday admitted taking part in the murder of

one young woman, but denied involvement in the other murders. Mr Dimitrakakis denied the charges. Miss Margefi has confessed to being involved, which led to the arrest of the gang. (AFP)

### Duke supports campaign to stop Rhone-Rhone canal

FROM AGENCE FRANCE-PRESSE IN OUGNEY-LES-CHAMPE

THE Duke of Edinburgh yesterday gave his support to environmentalists campaigning against a wide canal that will carry huge barge convoys between the Mediterranean and the North Sea.

The Duke, visiting in his capacity as president of the World Wide Fund for Nature, said there was no doubt the scheme would have very harmful consequences for the ecosystem of this eastern French region. He had sailed here on board a pleasure boat on the picturesque Doubs river, much of which will become part of the planned canal.

The Duke, who spoke in French, refused to take questions so as to avoid interfering in French politics, but he said the French people should take into consideration "all the impacts this gigantic and irreversible project could have on the environment".

Security men checked for

bombs in locks on the existing canal along the Doubs before Prince Philip embarked on the Vauban tour-boat, accompanied by Philippe Poret, a leading French opponent of the canal scheme and head of WWF-France. M Poret said: "This canal will have disastrous and irreparable ecological consequences." He added: "In addition, there is no economic justification."

The canal, which is due to be completed in 2010, will enable large barge convoys to sail between the Rhine and Rhine rivers; it will mean the broadening of an existing link. The canal will be 143 miles long and will change profoundly the valleys of the Saône, Allain and Ill rivers as well as that of the Doubs.

Barge convoys of 4,500 tonnes and 36ft wide and up to 630ft long, will ply the canal after the final bottleneck between the Rhine and the Rhône has been eliminated.

The course of the Doubs will be modified for 60 miles in its narrow valley. To pass the high point of Belfort, 24 locks and 15 mobile dams will have to be built. 86 road and railway bridges rebuilt and a tunnel dug under the citadel at Besançon.

The cost was estimated at 17 billion francs (£3.4 billion) in 1993, but WWF-France said the real cost should be multiplied by at least two.

WWF-France says the canal will damage the freshwater ecosystem in the region and cause severe disruption, increasing the frequency of flooding in the surrounding valleys and contributing to a constant increase in the cost of drinking water.

"There is no justification for this scheme, not even the transfer of road traffic to water," M Poret said. "The future of goods transport lies above all in the improvement of the rail network."

### Ukraine deputies cede powers to Kuchma

FROM ANATOL LIEVEN IN MOSCOW

PRESIDENT Kuchma of Ukraine won a big victory over his conservative opponents yesterday when a majority of parliamentary deputies voted to give him extra powers. In return, Mr Kuchma has agreed to cancel a planned referendum asking voters to express confidence in him vis-à-vis the parliament.

Deputies feared that if as expected Mr Kuchma had emerged victorious, he might have initiated other presidents in the former Soviet Union by dissolving the parliament and simply giving himself more powers. Mr Kuchma has been at odds with the parliament over his planned economic reform programme.

The "constitutional treaty" between Mr Kuchma and parliament is to be signed by the President and Alexander Moroz, the parliamentary chairman, today. It was described by Mr Kuchma yesterday as "a key political and legal document which will

lead us out of crisis". The "treaty" gives Mr Kuchma the right to appoint ministers without having to refer them to parliament for approval, as well as greater powers to issue decrees. The agreement is expected to open the way for the appointment of a new reformist Government, to replace the one that was voted out by parliament in April.

The "treaty", however, has been criticised bitterly by communists and other opposition deputies, who say that it will lead to authoritarianism.

They also say that it is unconstitutional because it replaces sections of the present constitution, despite having been adopted by a simple parliamentary majority rather than the two-thirds majority needed for constitutional amendments. According to the treaty, a new constitution is supposed to be introduced within a year, although that is likely to be a bitterly disputed process.

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### Albania curbs sale of papers

FROM JAMES PETTIFER IN TIRANA

ALBANIAN editors are set on a collision course with the Government of Dr Sali Berisha after the announcement of a ban on street sales of newspapers and magazines in the capital. Newspaper distribution will be restricted to government-owned kiosks and state bookshops. Journalists fear that the ban will affect sales and allow the Government to choose which newspapers to distribute.

Although television remains government-controlled, the country has a free press, most of which is opposed to Dr Berisha's Democratic Party Government. The bestselling daily, *Koha Jone*, sells ten times more than the pro-Berisha *Rilindja Demokratike*. Carlo Bollino, editor of the neutral, Italian-owned *Gazeta Shqiptare*, said yesterday that circulation would drop by 50 per cent and the paper would be closed.

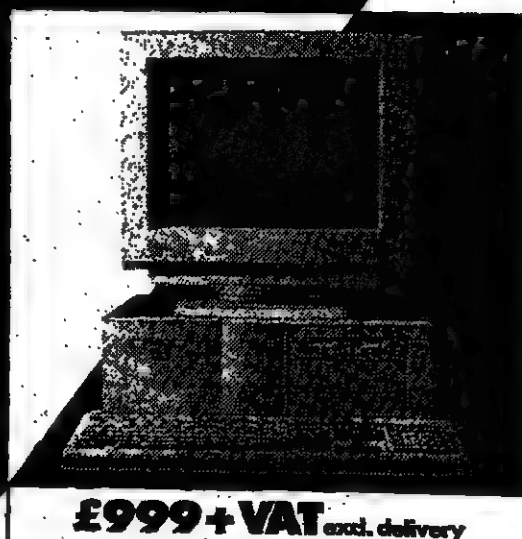
The general manager of the Socialist Party newspaper, *Zeri i Popullit*, has been arrested and several journalists have fled the country.

The conflict is taking place amid political tension as the parties prepare for next year's election. Dr Berisha has not recovered his popularity since his defeat in November's constitutional referendum. A poll by the Brussels-based Eurobarometer organisation showed that if the election was held now the Democratic Party would be defeated.

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مكتبة النهر



# Karadzic's weakened fighters ready to take to the hills for guerrilla war

By Eve Ann Prentice  
DIPLOMATIC CORRESPONDENT

IF THE conflict in the Balkans were a straight fight between Bosnian Serbs and the rest of the world, there could be peace by Christmas.

The Bosnian Serbs are at their lowest ebb militarily; the leadership has been taken away by the ferocity of the world response to the taking of United Nations hostages; and Serbia could be expected to wield enough political influence to enforce some sort of peace deal, with a little cajoling from Greece and Russia and less subtle pressure from Europe and America.

Serbia's influence is especially

**The ferocity of the world community's response surprised the hostage-takers but the Bosnian Serbs are in no mood to surrender, whatever deals their leaders may sign**

strong since Radovan Karadzic, the Bosnian Serb leader, seems to have suffered loss of face over the Nato air strikes and the hostage saga. Radon Mladic, his military chief, is believed to be in frequent contact with President Milosevic of Serbia and is frustrated by Dr Karadzic's increasing reluctance to set clear military targets. It was also significant that the freeing of the hostages

was stage-managed by Nikolaj Koljetic, Dr Karadzic's deputy. That said, Dr Karadzic has probably not yet bitten off more than he can chew: his standing is still strong among the Bosnian Serb people and, although they feel isolated, they believe that right is on their side. They want to belong to the rump Yugoslavia and say their country was pulled away

from them when Bosnia declared its independence.

Serbia, in the meantime, played both sides against the middle yesterday. The pro-government newspaper, *Politika*, said that Bosnia could head for all-out war as easily as towards a political settlement and blamed the West and Bosnian Serbs. "Bosnia has reached the dangerous point where it could develop into total war thanks to careless moves, or a peaceful settlement thanks to unavoidable compromises and political wisdom," it said.

One possible scenario is that France, anxious to call a peace conference involving all sides before its presidency of the European

Union finishes at the end of this month, could preside over a peace agreement of sorts. That would allow the present UN mission to be reduced drastically or revamped, but the fighting would almost certainly continue. The rearmament, and probably by now well trained Muslim-led Bosnian government troops, are aching to try to take back some of the 70 per cent of Bosnia controlled by the Serbs. It was they, after all, who broke the new year ceasefire and embarked on a spring offensive.

The Serbs would probably take to the mountains in a guerrilla war if necessary, if their leaders accept any peace deal.

If the political leaders do agree to

a peace deal, with President Milosevic winning a lifting of UN sanctions, the ensuing battles could be described as guerrilla warfare and the international community could try to extricate itself on that ground. "If there is a UN withdrawal, give them a first-class ticket," General Mladic is reported to have told sources in the Bosnian Serb "wartime capital" at Pale.

That would delight America, which is desperate not to get ground troops sucked into the morass, and Britain and France, which would like to find a way of leaving if a face-saving formula could be found. However, there are many other facets to the conflict that could radically alter the pic-

ture. They include Croatian attempts to dominate or drive out Serbs living in the republic and a tense southern Balkans. Relations between Russia and America are being polarised by the conflict, and a hardline US Congress could force President Clinton to become more rather than less involved if, for instance, more air strikes are called, or American troops are killed trying to give cover to retreating peacekeepers.

"This is the year the war will be decided," Srdja Trifkovic, a source close to the Bosnian Serbs, said. "The Serbs have no time on their side and the Drina blockade (between Serbia and Bosnia) will probably remain."

## More UN captives freed as Sarajevo fighting resumes

By Joel Brand in Sarajevo and Michael Evans, Defence Correspondent

BOSNIAN Serbs yesterday released three United Nations officers they had been holding, and up to 50 more hostages were expected to be freed soon.

The three officers from France, Spain and Brazil were taken by helicopter from the Bosnia-Serbia border to Novi Sad in northeast Serbia, where 108 UN peacekeepers released early yesterday were waiting to be transported to Zagreb. Police in Novi Sad said they were expecting a new batch of UN soldiers to arrive.

Hopes for another release were countered by hundreds of explosions in Sarajevo when tank, artillery and mortar shells landed in and around the capital as rebel and government troops resumed battles along a vital Serb-held road. Pedestrians who braved the morning sniper fire were later chased indoors by shelling reminiscent of the days prior to Nato's February 1994 ultimatum. Both sides used large numbers of heavy weapons, which are banned by the Nato ultimatum.

Alliance warplanes were conspicuously absent from the skies over the city yesterday. Last Friday, Serb gunners

brought down an American F16 over the north of the country. Efforts to find and rescue the pilot have failed and many people believe he died in the crash.

Despite reports that the Bosnian Serbs have won an understanding that no new airstrikes will be launched, Nato defence ministers meeting in Brussels today are expected to emphasise the importance of retaining the option. The first real test of the new get-tough policy in Bosnia may take place on a mountain southwest of Sarajevo, across which runs the only access route to the Bosnian capital not under Serb control. Mount Igman has been the lifeline into Sarajevo, although it is probably also the most life-threatening route, running in parallel with Serb gun positions and mobile anti-aircraft locations. For this reason, it has not become one of the UN designated convoy supply lines.

Military planners are examining the feasibility of converting the Mount Igman route, which is controlled by Bosnian Government forces, into a secured route. UN officials have been quoted this week as

saying that plans are being drawn up to force through a convoy route. However, military sources in London insisted that the first move would be to try to negotiate the route with the Serbs. One source said: "If Pale [the Serb headquarters] agrees, then any subsequent attack on convoys using that route can be met with a robust response." If negotiation fails, the military believes that with the help of the British reinforcements, it will be possible to create a secure route without tying up too many soldiers acting as pickets.

In London, Andrei Kozyrev, the Russian Foreign Minister, said his country would not veto plans for a rapid reaction force to protect UN peacekeepers in Bosnia. Plans for the 10,000-strong unit of British, French and Dutch soldiers can go ahead so long as the troops do not stray from the existing peacekeeping mandate, he said after meeting Douglas Hurd, the Foreign Secretary, and John Major.

In Novi Sad, the second group of UN hostages to be freed included 17 British troops abducted from observation posts in Gorazde. Another six Britons remain as Serb prisoners.

A UN delegation from Zagreb is to travel to Belgrade and Pale today for talks about Serb blockades of three eastern enclaves and Sarajevo. After years of intermittent Serb blockades, Nato and UN officials are considering forcing resupply into the encircled towns, either with heavily armed land escorts or helicopters supported by slow-flying ground attack planes.

The Serbs allowed one aid convoy into Srebrenica yesterday, one of the first in months. UN commanders are unlikely to be placated by a short-term concession, however.



A United Nations peacekeeper smiles as he and his fellow hostages wait for their bus to cross the border to freedom at Zvornik early yesterday

## Families pray for Britons left behind

By Bill Frost

FAMILIES of the 17 soldiers released by the Bosnian Serbs celebrated their safe return yesterday while concern mounted for the six British peacekeepers still held captive.

Last night the freed hostages were debriefed by military intelligence officers in the Croatian port of Split after their first substantial meal since being taken prisoner. A British diplomat told how they had "wolfed down roast beef, veal and roast potatoes".

Allan Warren, 47, of Cardiff, was "devastated" to learn that his son, Nick, 28, a sergeant in The Royal Welsh Fusiliers, was not among those freed early on Wednesday. "My wife and I are just shattered at the moment. It may be that Nick, as a senior NCO, has somehow let younger soldiers go free in front of him. We just don't know," he said.

Sergeant Warren, who has served with the regiment for 12 years, has done four tours of Northern Ireland and is one of the most experienced soldiers among the captives.

After initial interviews with those released yesterday, Ivor Roberts, the charge d'affaires at the British Embassy in Belgrade, said they "were treated decently, but the atmosphere was obviously uncomfortable throughout their time as hostages and they are very pleased to be out".

His next task was to secure the release of those still being

held. "There is an ongoing diplomatic effort and we shall not relinquish that until all our hostages are back with us."

The wife of Flight Lieutenant Andrew Hall, still in captivity after being kidnapped by the Bosnian Serbs from a United Nations monitoring position in Sarajevo, yesterday returned to work as an air stewardess "to take her mind off things". Jackie Hall, who lives with her husband in married quarters at RAF Honington, Suffolk, said: "Everybody is supporting me

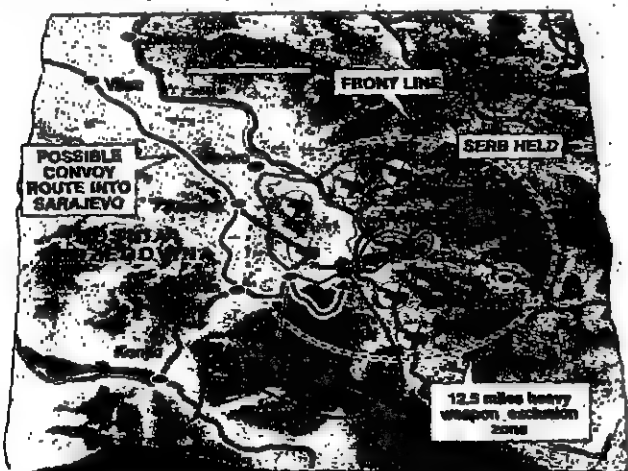
because they realise that I am very worried. I am listening to the news as much as possible and can only hope he comes home soon."

At The Royal Welsh Fusiliers battalion headquarters in Pembrokeshire yesterday, Major Alan Redburn and a support team rang relatives with the good or bad news.

Jackie Cornish burst into tears when told that her 24-year-old son, Michael, a lance corporal, was among those freed by the Bosnian Serbs. "He's out and he's OK. It's brilliant. I can hardly

believe it," she said. Mrs Cornish, of Old Colwyn, North Wales, thought the released soldiers looked exhausted when she saw early-morning television news reports. "I was a bit shocked to hear they were only given bread and soup during the whole time they were held prisoner," she said.

"I'm dying to speak to Michael — these last ten days have been very hard on the families and those of us who have had good news today will be thinking of those relatives who haven't."



## US to let ground troops take part in emergency rescues

FROM MARTIN FLETCHER IN WASHINGTON

THE Clinton Administration ended days of confusion over its Bosnia policy yesterday by confirming that it would use ground troops for the "emergency extraction" of United Nations peacekeepers stranded in dangerous positions.

However, the policy shift encountered fierce opposition on Capitol Hill, where senators insisted that the UN mission had failed, that the 22,000 members of the UN Protection Force (Unprofor) should be withdrawn and the UN arms embargo against the Muslims in Bosnia-Herzegovina should be lifted.

Testifying before the Senate Armed Services committee, William Perry, the Defence Secretary, confirmed President Clinton's willingness to go beyond his previous insistence that American ground troops would be used only to assist a complete Unprofor withdrawal, by saying they could be used in "emergency extractions". He promised that Congress would be consulted first and that America would not become a UN "transportation service".

Strom Thurmond, the committee's Republican chairman, accused the Administration of "stumbling toward greater involvement in Bosnia without a coherent policy or clear strategy". He demanded the arming of Bosnia's Muslims and said American forces should be used only to evacuate the peacekeepers. "If our allies persist in a course of action that is doomed to fail, we should consider ourselves free of any obligation to join them," he said.

Robert Dole, the Senate



Dole: "Stop reinforcing a policy of failure"

leader, is to introduce a resolution within days barring the use of troops for any role in Bosnia except Unprofor's complete evacuation, and only then if the allies first agree to arm the Muslims. "It is high time the US stopped reinforcing a policy of failure," he said.

Mr Perry's testimony followed an urgent White House meeting of the President's top foreign-policy advisers designed to end a week of confused signals to both Congress and American allies. Clinton's late General John Shalikashvili, chairman of the Joint Chiefs of Staff, said yesterday that signals detected in the area where Serb forces shot down an American F16 fighter plane could not be linked to the pilot.

The fate of the pilot is not known and the search for him is continuing. The Defence Department said that electronic beacon signals, which might have been transmitted by the pilot, were no longer being received. (Reuters)

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# Keating refuses to spell out powers of a president

FROM ROGER MAYNARD IN SYDNEY

PAUL KEATING, the Prime Minister of Australia, disclosed his plans for a republic by the year 2001, but raised almost as many questions as he answered.

In a 30-minute televised address to parliament, he said that a referendum would be held in 1998 or 1999 and proposed that the new head of state should be elected by a two-thirds majority of both houses of parliament. However, he refused to spell out the president's so-called reserve powers and said that whoever held the office would have the same authority as the present Governor-General.

"An Australian head of state would be above politics, with a role reflecting that of the Governor-General and would be completely unlike that of the US President," he said. He also rejected opposition calls for a "people's convention" to reach a consensus on the republican issue.

Mr Keating said of his proposals: "This is the final step to becoming a fully independent nation. It will permit the full and unambiguous expression of Australia's national identity. We are not as

we once were, in a parent-child relationship [with Britain]. He added that Australians were now drawn from countries all over the world.

"It is no reflection on the loyalty of a great many of them to say that the British monarchy is a remote and inadequate symbol of their affections for Australia."

Under the Government's proposals, the head of state would be elected for only five years and politicians would not be eligible for nomination until at least five years after leaving Parliament.

Mr Keating went on to say that the strength of Australia's ties with Britain and the Queen, "Nothing in the creation of an Australian republic will alter the facts of our heritage and our affections. Indeed, our relationship with Britain may well become the more thoroughly 'modern relationship' which the British Prime Minister expressed a desire for two years ago," he added.

Mr Keating's words in the House of Representatives will

do nothing to allay the fears expressed by republicans and monarchists, who have grave concerns about the nature of the president's election and the powers he or she might enjoy.

Lloyd Waddy, national convenor of Australians for Constitutional Monarchy, said on Tuesday night that it was like giving the new head of state a blank cheque. "If you take the Crown out and give all the powers to a politician after five years out of office, then you are creating a new tiger without a cage," he said.

Allowing parliament instead of the people to elect the president will also be anathema to an electorate with a deeply ingrained distrust of politicians. The most recent opinion poll indicated that 78 per cent of the people favoured an election by popular vote.

John Howard, the leader of the Opposition, said: "There is a great feeling in the community that if we are to become a republic then the people themselves should directly choose the president."

Malcolm Turnbull, chairman of the Australian Republican Movement, also said he was a little disappointed with



Kerry Jones, the head of Australians for Constitutional Monarchy, unveiling her movement's new banner at Sydney Harbour yesterday

the proposals and demanded that the reserve powers of the head of state should be spelled out. He added, however: "We understand the arguments for not doing so and we will continue in this lengthy process of consultation to argue our case."

The reserve powers, which led to the dismissal of Gough Whitlam, the Labour Prime Minister, in 1975, are based on a loose amalgam of principles

and conventions that underpin Australia's Westminster-style of government. They are not set out in the constitution and they are open to much interpretation. It is that point that worries the republicans

as much as those who want to retain the present system. There is also the question of the referendum. For Australia to cut its constitutional ties with Britain will require the support of most voters in most

Australian states. With polls suggesting that the country is equally divided on the subject, there is no guarantee that a referendum would settle the issue in time to satisfy Mr Keating's timetable.

## Snapshot taken as star is born



A jet of superheated gas shoots away at half a million miles an hour from the core of a new star, up to 1,500 light years away in Orion, a bright constellation of stars (Anjana Ahuja writes). The birth throes of the star were captured on celluloid by the Hubble space telescope in photographs, the most detailed to date, which were released this week and apparently confirm long-standing theories about how stars are formed.

Astronomers have deduced from the shaky pattern of the gas stream astronomers that the star might be part of a binary system, with the companion star exerting a gravita-

tional pull and causing the central star to wobble. Unfortunately, the central star cannot be seen because it is shielded by a dust cloud.

Although the photographs were taken over nearly a year, they represent only a snapshot: the birth of a star can take 100,000 years. It all begins when gas and dust clump together into a swirling cloud. This clumping is self-perpetuating: the more matter that accumulates, the higher the clump's gravitational pull becomes, and thus the more matter it attracts. The swirling becomes a rapid spin as the material collapses into a dense core. Jets of material are released as this core, or

protostar, reaches a kind of density overload. In big enough stars, such as our Sun, the density will be sufficiently high to trigger nuclear fusion.

The event seen by Hubble might also herald the formation of a new planetary system. Planets form when left-over chunks of material around the protostar collide to make planetoids, which in turn merge to become planets.

The photographs constitute the latest triumph for a telescope afflicted in its early days by fuzzy vision. Since its vision was corrected, Hubble has confounded its critics by delivering a string of astronomical treasures.

## Marlboro man sent to stadium sidelines

FROM BEN MACINTYRE IN NEW YORK

THE Marlboro man has been sent off the pitch at all American sports stadiums after Philip Morris, the tobacco manufacturer, agreed to remove any cigarette advertising that might appear on televised sports broadcasts.

The company, the world's biggest cigarette manufacturer, agreed to take down the vast billboards that tower over many stadiums after the US Justice Department threatened to sue. Cigarette advertising was banned on American television 25 years ago, but manufacturers habitually circumvent the law by erecting posters in sports stadiums where they are visible to television viewers, the Justice Department alleged.

Philip Morris will continue to advertise in arenas but outside normal camera range, the company said. Other tobacco manufacturers are expected to follow suit. The campaign to ban cigarette advertising in stadiums was launched a year ago when basketball fans complained that a neon Marlboro sign in front of the scorer's table at New York's Madison Square Garden featured prominently in all televised games.

In a settlement announced this week, Philip Morris agreed to remove all such advertising "on or immediately adjacent to the playing field" at 14 football stadiums, 14 baseball parks and five basketball and hockey arenas. The Justice Department may now act to stop tobacco advertising at other sports events.

## Cambodia moves to silence critic

BY WILLIAM SHAWCROSS

TWO years after the election that brought it to power, Cambodia's coalition Government is on the point of seriously damaging the country's democratic processes.

Despite international protests, Prince Norodom Ranariddh, the first Prime Minister, has called for the expulsion from the National Assembly of Sam Rainsy, his former Minister of Finance, who has become one of the Government's fiercest critics. This could be brought before the assembly today.

If Sam Rainsy loses his seat the parliament will lose the highest level of the coalition infighting his colleagues and last October he was dismissed from his post. Prince Norodom Sirivudh, the Foreign Minister, resigned in sympathy. Since then, Sam Rainsy has been an increasingly outspoken critic of government corruption. All the other MPs are in parties involved in the coalition so

and won a parliamentary seat in the United Nations-run elections in May 1993. Although the party won the majority of seats, the UN was unable to compel its rival, the former communist People's Party, to surrender power. Instead a coalition Government was formed with Sam Rainsy as Minister of Finance. He managed to increase government revenues and won the support of the international donors on whom the Cambodian economy depends.

However, his attacks on the corruption that pervaded the highest levels of the coalition infuriated his colleagues and last October he was dismissed from his post. Prince Norodom Sirivudh, the Foreign Minister, resigned in sympathy. Since then, Sam Rainsy has been an increasingly outspoken critic of government corruption. All the other MPs are in parties involved in the coalition so

that he has, in effect, been the sole voice of opposition in the assembly.

He was expelled from Funcinpec last month and Prince Ranariddh has demanded that he be expelled from the National Assembly. Michael Kirby, the Australian judge who is the UN Secretary-General's Special Representative for Human Rights in Cambodia, has written to Chea Sim, the chairman of the National Assembly, to warn him that the expulsion of Sam Rainsy may be a breach of the Human Rights Covenants that Cambodia signed.

The Inter-Parliamentary Union has said it is "extremely alarmed" and that Sam Rainsy was elected as a representative of the nation, not of one party. William Roth, an American Senator, has written to Chea Sim to say that any move to expel Sam Rainsy "will seriously undermine the international community's

confidence in Cambodia's future and its commitment to democracy". His letter echoes warnings from John McCain and Dana Rohrabacher, two members of the US Congress, who have suggested that any such move might prevent Cambodia being granted most favoured nation status by the United States.

The Cambodian Government has, however, been trying to curb opposition voices to the press, which has been one of the most open in South-East Asia. Several editors have been jailed or killed in recent months and a law has been drafted to outlaw press criticism.

Sam Rainsy's fellow MPs have been warned that they will be expelled if they support him. His most important supporter has been King Sihanouk, but it is unclear how far the monarch can defend him against his son, Prince Ranariddh.

## Argentina threatens court action over Falklands oil

BY MICHAEL BINYON, DIPLOMATIC EDITOR

IF THE Falkland Islands unilaterally licensed oil concessions in the South Atlantic before agreement was reached with Buenos Aires, the Argentine Government would go to the International Court of Justice, the Foreign Minister said yesterday.

"We will be a nuisance in legal terms - that I can assure you," Guido Di Tella said. Giving a warning that the chance for a successful outcome in the negotiations over oil exploration were only 50:50 at best, he said he did not

understand why the islanders insisted on an August deadline. Negotiations with Britain had now reached the most difficult stage.

Señor Di Tella, who holds talks today with Douglas Hurd, the Foreign Secretary, said Argentina would not sign any agreement that compromised its claim over the Falklands. He criticised the islanders for insisting that there could be no co-operation on fishing and oil until Buenos Aires renounced its claim.

Señor Di Tella also criti-

cised Britain's "irresponsible" attitude to fish conservation, especially in the light of depletion of some stocks. He said that the licensing season was opened too early.

In a Radio 4 interview, Señor Di Tella said his Government would be willing to pay island families about £500,000 each if they recognised Argentine sovereignty. Rejecting the idea that Argentina was trying to "buy out" the islanders, he said the financial offer was part of an overall settlement.

## Judge saves Carmen from irate Israeli

FROM CHRISTOPHER WALKER IN JERUSALEM



Ewing, puzzled by noises off stage

A SPECTACULAR production of Bizet's *Carmen* by the Royal Opera House, Covent Garden, starring Maria Ewing, the American soprano, in the title role, has been saved by judicial intervention after a Jerusalem resident, displaying typical Israelichutzpah, protested against the noise.

The opera, billed as the centrepiece of this year's Israel Festival, is being staged at the Sultan's Pool, an open-air stage in an ancient reservoir sandwiched between the walls of the Old City and the expensive residential district of Yemin Moshe.

At Monday night's dress rehearsal, Israel Radio claimed that Yossi Avissar, the angry resident, wired amplifiers to his television set and played it at full volume during the performance, because he said the opera was disturbing his rest.

The audience had no idea what this terrible noise was, but it was very disruptive. You could see the performers halting and wondering what was happening," said Felice Marazz, a journalist.

Israel Radio reported yesterday that a special court allowed the police to go to Mr Avissar's home, near the floodlit stage, and restrain

him from wrecking the premiere on Tuesday night.

Yossi Avissar, who went to court with her husband yesterday to defend their right to privacy, said: "Carmen is not only an opera, it can also be a hell if, along with rehearsals, it takes place outside your window for nearly two weeks." She added that the judge had ruled that the couple should be paid compensation to stay in a luxury hotel until the run finished.

Other residents were offered tickets as compensation. "I like opera very much," one said. "But six nights in a row is a bit much."

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سكان المثل



# Mandela defends his 'shoot to kill' order

BY MICHAEL HAMILYN AND OUR FOREIGN STAFF

PRESIDENT MANDELA was repeatedly heckled in parliament in Cape Town last night as he struggled to defend his role in the "Shell House massacre" a month before South Africa's first all-race elections last year.

The noisy reactions from the floor and the public gallery brought a series of rebukes from Frenk Gijwala, the Speaker. "This is supposed to be a debate, not a competition to see who can howl and heckle louder," she said.

Mr Mandela repeated his admission that he had given instructions to security guards at Shell House, where the African National Congress has its headquarters offices in Johannesburg, to defend it against supporters of the mainly Zulu Inkatha Freedom Party who were marching through the city, "even if they had to kill people".

He told MPs: "Before the march on that day, the ANC had received information that some of the marchers were to be directed to attack Shell House, destroy information and kill members of the leadership," he said.

He had warned F.W. de Klerk, then President, and police about the threat, but said no action had been taken. He listed the weekly death tolls in KwaZulu/Natal, which had reached unprecedented proportions at the

time, he said. "Those who, like me, had to attend countless funerals and see mothers and relatives wailing, those who have been to the scene of violence and overcrowded hospital wards, those who have in real life seen the smashed heads of babies, stomachs of women ripped open by so-called traditional weapons, mutilated bodies of train and taxi passengers, will know what this violence meant and means to ordinary citizens," Mr Mandela said.

The surging columns on Shell House, away from the routes to their destination, the shots fired and the fact that the few policemen deployed there decided to run away gave credence to the information we had gathered.

It was in this context, he said, that he had instructed ANC guards to protect Shell House, even if meant taking lives. "This is nothing more

nor less than a statement of the common law right to self-defence," he said.

The National Party, which called for yesterday's emergency debate, was not satisfied by Mr Mandela's explanation. Party speakers accused the ANC of hampering police investigations into the killings and called for a judicial inquiry.

Hermie Smit, the first National Party MP to speak after the President, called for "international participation" in such an inquiry. "Is the South African police service being intimidated by the ANC into not completing the investigation into the shooting?" he demanded.

Both sides of the House shouted at speakers and were loudly seconded from the public gallery, where spectators applauded and cheered.

Mr Mandela accused the National Party of having col-

luded with the leaders of the marchers. He said that part of the strategy was to portray the National Party as being clean and above these problems, adding: "Nothing could be further from the truth." He claimed that Inkatha was used by the National Party Government to weaken the ANC and other democratic forces.

Cyril Ramaphosa, the ANC's secretary-general, demanded that Mr de Klerk should tell the truth about his role on the day of the massacre, "as President Mandela has", adding: "He was in charge that day. Did he protect South Africans' lives as he was supposed to?"

Mr Mandela closed the debate with a prepared speech that addressed none of the questions raised by speakers. Also, in an attempt to calm the passions of MPs, the President declared that matters were now moving more smoothly in the troubled province of KwaZulu/Natal.

The Cabinet, which had met yesterday for a special discussion on the security situation in the province, had formed a new working party, Mr Mandela announced. He said that it would consist of himself, his two Deputy Presidents (one of whom is Mr de Klerk), and Chief Mangosuthu Buthelezi, the Inkatha leader, who is the Home Affairs Minister in the national Government.



Billy Graham, the evangelist, is helped after collapsing while shaking a speech in Toronto on Tuesday. Dr Graham, 76, was undergoing routine tests at a Toronto hospital yesterday, but still

## Hospital tests on Billy Graham

planned to address a meeting at the SkyDome last night. A hospital examination soon

after his collapse disclosed bleeding from the bowel, but a spokesman for the Billy Graham organisation said: "Doctors are very encouraged by his progress to date." (Reuters)

## Clinton prepares to veto £10bn cuts

FROM MARTIN FLETCHER IN WASHINGTON

PRESIDENT CLINTON, in a big political gamble, was preparing to exercise the first veto of his presidency last night, despite a last-minute appeal by the Republican leaders of Congress.

The White House said Mr Clinton would use a Rose Garden ceremony to veto a Republican Bill that would cut \$16.4 billion (£10.3 billion) in spending approved by the last Democratic Congress, because it would damage education and job training while protecting various congressmen's pet projects.

Mr Clinton's aim was to portray the Republicans as reckless and uncaring cutters, and himself as a defender of programmes that the public value.

Neve Gingrich, the House Speaker, and Robert Dole, the Senate leader, told the President that signing the Bill would show he was serious about reducing the federal deficit. Mr Clinton will now be vulnerable to Republican claims that he is a supporter of "big government" who will not, or dares not, tackle America's key economic problem.

The legislation also contained \$6.7 billion in disaster relief for 40 states, including funds to help Oklahoma City to rebuild the building destroyed by a bomb in April.

## Burundi troops take over Hutu stronghold

FROM REUTERS IN Bujumbura

HUNDREDS of Burundi government troops seized control of the last important stronghold of the Hutu majority in the capital yesterday, smashing barricades with bulldozers.

Gunfire echoed throughout Bujumbura for much of the day after troops of the Tutsi-dominated army pushed into the Kamenge suburb, at dawn, in armoured vehicles mounted with cannon and machineguns.

Despite their earlier warnings, Hutu militiamen seem to have melted away to avoid a fight. There were few casualties, according to first reports. By late afternoon Kamenge was like a ghost town, except for troops at all its entrances, and "bulldozers" leveling barricades abandoned by defenders.

Witnesses said sporadic shooting echoed around the surrounding hills as the army pursued retreating Hutu fighters. Troops also moved into the suburbs of Kinama and Gasenyi. Smoke rolled over Kamenge after houses were set ablaze, and grenade explosions could be heard during the operation. Red Cross officials said some people were evacuated but there were no confirmed casualty reports.

"They've fired a few times but I don't think they [the Hutu gunmen] can resist the army," Colonel Jean Bikomago, the army chief of staff, told reporters. "Up until now all has gone well."

Aid officials said that the latest in a series of army operations this year was a big step towards clearing Bujumbura of Hutus, even if this was not a prime aim. "I have difficulty using the words

"Hutu hunting" because I think it's too strong," said Francis Heon, of the US-based National Democratic Institute, which is monitoring developments. "But I think there was a lack of discipline in the way the military attacked innocent civilians over the last week. There are reports of women, children and others who have been shot or stabbed. In my opinion that is not a sign of discipline."

The Prime Minister, Antoine Nduwayo, a Tutsi, ordered the troops in on Monday. The Hutu gunmen had vowed to fight the army despite a week-long siege of Kamenge, normally home to about 50,000 people. At least 20,000 residents have fled since clashes between troops and Hutu gunmen broke out in the capital on May 31.

Witnesses said troops on lorries toured parts of Kamenge yesterday,

using loudspeakers to urge civilians to leave their homes and assemble at a football stadium outside the suburb. About 300 Hutus were escorted out by government soldiers to a mission in Gasenyi, where they were registered and questioned. Some young Hutu men were detained. Jean-Marie Ndagabay, the Foreign Minister, said civilians would be registered and could return home after the militiamen were flushed out.

Tutsi militiamen and troops killed hundreds of Hutus in the city at the end of March and drove out tens of thousands from two districts in what diplomats said amounted to ethnic cleansing. Burundi's population is 85 per cent Hutu, but Tutsis have ruled for most of the 33 years since independence and still control the 17,000-strong army and the civil service.

## ADVERTISEMENT

### Existing homeowners improve monthly finances by arranging new mortgage on phone

BY ANTHONY HILL

HOME OWNERS are missing out on savings of hundreds of pounds a year because they retain the outmoded idea that it is too difficult to switch mortgages.

In the past home buyers would only see the point of changing their mortgage when they moved home. But now the competition among lenders is fierce and they are offering such tempting deals that transferring a mortgage can save a huge amount each month - and it does not have to be a painful process.

Just as telephone based companies revolutionised the buying of motor and home contents insurance, the telephone based mortgage deals are smoothing the path for homeowners who no longer see the sense in sitting tight with a more expensive rate than those on offer to "new" customers. More and more home owners are already checking exactly what they are paying and measuring that against what is on offer for remortgages.

First Mortgage Securities was the first lender to offer home loans over the telephone, other lenders with conventional branch networks are now jumping on the bandwagon, but not all offer a complete service via the telephone.

A survey in Your Mortgage magazine of 12 telephone mortgage providers awarded FMS top marks for its efficient service and helpfulness. After one free 15 minute phone call FMS can tell a homeowner exactly what it can offer, and all that remains are the formalities such as getting the survey and signing the documents.

"It must be worth 15 minutes of anyone's time to make savings that will go on month after month," said Nick Deutsch chief executive of FMS.

The company, which is only owned by the venture capital fund of a leading city

investment house and the management of FMS, is at the leading edge of mortgage developments.

FMS does not sell any sort of investment policies, it is not tied to any insurance company and does not take any commission if buyers want an endowment mortgage. So FMS is just as happy selling repayment loans as any other. FMS will sell other lenders' products to fill any gaps in its own home loans range. For instance, it is one of the few places where you will find 100 per cent loans on offer. You can also opt for a capped rate where the rate can go down, but will not rise beyond the cap.

Borrowers with little spare cash can opt for fee-free deals. Avoiding application, legal and valuation fees can save around £700 for a home owner moving a £50,000 loan to FMS. There are no hidden catches such as having to buy a particular building and contents insurance package.

**'It must be worth 15 minutes of anyone's time to make savings that will go on month after month.'**

Borrowers who do not mind paying up-front fees can choose loans with lower interest rates. Sometimes it will be worth paying even a stiff penalty to break free from a poor deal - especially a fix taken out when rates were higher. It is worth shing down and working out the potential savings against the cost of terminating an existing mortgage before the penalty period has run its course.

The fixed rates around at the moment look particularly attractive with the market still expecting further rate rises. With a fixed rate, borrowers



Financial peace of mind only 15 minutes away

can be sure of their savings over an existing fix and are buying peace of mind that the cost of the mortgage will not increase during the life of the fix.

FMS has one fix at 4.99 per cent (APR 5.4%) which runs to December 1996, and another at 7.49 per cent (APR 8.1%) to July 1998. The fee-free rates are 6.99 per cent (APR 7.4%) and 7.99 per cent (APR 8.5%).

But it also has a range of variable rate loans including attractive discounts. The variable rate is currently 7.39 per cent (APR 7.8%) well below the average variable rate of 8.44 per cent.

If interest rates rise again then these fixed rates will be replaced by higher fixes. The APR is based on a typical example of a repayment loan of £45,000 for a mortgage of £60,000 for a loan term

of 25 years with a fixed rate of interest of 7.99% per annum until 1 July 1998 and thereafter at the equivalent variable rate (assumed to be 7.99% per annum). Loan to be repaid after 300 monthly payments of £310.00 gross (£323.38 net of MARS on £30,000 at 15% Total amount payable £105,300. Security over property and a suitable life assurance policy will be required. Loans subject to status. Written quotations available on request. First Mortgage Securities, Brettenham House, 14-15 Lancaster Place, London WC2E 7ER

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## Nigeria 'facing' censure

London: Unless Nigeria's military government restores democracy and respects human rights, the country might be suspended from the Commonwealth, Baroness Chalker, the Overseas Development Minister, told a Commons committee yesterday (Michael Binyon writes).

She said that only the heads of government meeting in Auckland in the autumn could suspend Nigeria. But her remarks add significantly to the pressure on General Sani Abacha, the Nigerian military leader. Britain has already stopped all bilateral aid.

### Killing claim

Manila: An official of the Philippine Senate committee on justice claims it has established that 11 robbery suspects police said died in a Manila street gunfight were summarily killed by lawmen. (Reuters)

### Man beheaded

Port Moresby: Attackers beheaded a politician travelling by bus to Mount Hagen in Papua New Guinea as terrified passengers looked on, reports said. The murder triggered two revenge killings. (AFP)

### Survival diet

Nairobi: George Mairuri, 23, who fell into a 30ft deep manhole in Nairobi, breaking his leg, was rescued after five days of drinking water aloft with dead cats and rats, the Daily Nation said. (AFP)

### Iceberg lettuce

Wellington: American scientists based in Antarctica are planning to grow vegetables on the ice using artificial light and purified sewage in a space about the size of a small greenhouse. (AFP)

### Track record

Dublin: The Guinness Express has never made its weekly 2,220 mile trip to Trivandrum on time in ten years, the average delay on the 7hr 25min journey being 20 hours, a newspaper reported. (AFP)

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The father who came home to a family he had forgotten □ Cast-iron cooking benefits □ When an X-ray examination can miss a broken neck



WHEN Colin Mitchell, 64, returned from his office, he parked his car as neatly as ever and joined his family for dinner. It was a happy, relaxed meal enlivened by the banter and gossip of his three student children. Suddenly, as the conversation slowed, Mr Mitchell realised that he had no idea what the family were talking about.

The names meant nothing to him, recent news was forgotten, he couldn't even remember where those pleasant and erudite young people, his own children, were at university or what they were doing. He had no knowledge of his work — he is a company secretary to a firm which manufactures compressed air machines — and could not remember the make or colour of the car he had just parked. Mr Mitchell did, however, know who he was and, within the limitations of his memory loss, he could make intelligent conversation.

He had not forgotten the history he had studied when a university student, and he was able to hold a

## A company of strangers



MEDICAL BRIEFING  
Dr Thomas Stuttaford

spirited discussion with his son on the unification of Italy. He found that he had not forgotten any of the details of the subject, or of his knowledge of music and other student enthusiasms. His memory loss was entirely for the events in the second half of his life. Childhood and youthful memories are better stored than those of later life and, as is often the case, Mr Mitchell's long-term memory seemed to be unimpaired.

After dinner Mr Mitchell decided not to join the family watching television — with total amnesia of

recent events it was not very interesting. He went to bed and woke next day with his memory fully restored.

The diagnosis in Mr Mitchell's case is transient global amnesia. In this syndrome, some confusion and disorientation is coupled with its most striking feature — a complete memory loss which usually extends over many years. Classically, the attack lasts for between an hour and 12 hours; the memory returns slowly during this period and complete recovery is usual.

The cause of the trouble is a

transient ischaemic attack affecting either the posterior-medial thalamus, or the hippocampus, two parts of the brain which play a critical part in memory. Occasionally the attack may be associated with migraine but not usually in people of Mr Mitchell's age.

As in other cases of transient ischaemic attack, a small dose of daily aspirin is recommended as prophylactic treatment. All of Mr Mitchell's investigations were negative.

The normal cause for the cases of memory loss reported in the press is psychogenic amnesia, also known as an hysterical fugue. This form of memory loss is caused by psychological rather than physical troubles and bears no clinical relationship to Mr Mitchell's syndrome.

In practice, diagnosing a psychogenic cause for amnesia is usually straightforward. The patient has no immediate memory loss, the loss is often precipitated by some obvious stress, and there are no other signs of intellectual impairment. Unlike patients with an organic cause for their amnesia, they are not perplexed, or even slightly disorientated by it.

## Pot luck



JUST as some aluminium is cleaned from the inside of the saucepan during the cooking of fruit and some vegetables, so iron is lost, and thereafter contaminates food cooked in a cast-iron wok.

The BMJ has reported on the work of three scientists from the Institute of Food Research in Norwich who have been analysing the amount of iron which the slow erosion of the cooking pot can add to some cooked foods; and its therapeutic potential.

Iron deficiency anaemia is still the most common chronic nutritional problem in the world and is particularly rife in developing countries. The very places in which cast-iron cooking pots are most often used. The experiments in Norwich showed that a balti curry, a form of Indian cuisine of chicken and vegetables cooked in a wok, provides seven times more iron than a helping of liver — the British food traditionally recom-

mended for anaemic patients. Supermarkets now sell chilled balti curries.

The iron from the wok was in a form readily absorbable by those who ate the curry. The authors therefore suggest that eating balti curries cooked in iron woks might not only add spice to the menu but may help to overcome the problem of iron deficiency in women. A survey has shown that 14 per cent of women have inadequate stores of iron and run the risk of developing anaemia, which can cause breathlessness, persistent tiredness and lower somebody's resistance to infection.

## X factor



SOMEWHERE in the country there is a golf course on which today, as on all other days, a certain retired company director will be playing at least 18 holes. What distinguishes him from thousands of other retired directors is that he has a neck broken in two places. The

fracture is unstable, so that the wrong movement might "top" him as surely as if he were a client of a hangman. The director was a Spitfire pilot during the war. He crashed twice; his neck was X-rayed but the fracture was never spotted. When it was picked up about ten years ago, he was warned of the danger it posed if he did not have surgery. He dismissed this advice, saying that if his neck was going to give way, it would have done so 40 years earlier.

Despite the impression given by the publicity devoted to a recent crop of missed fractures, similar incidents have always occurred. Unfortunately, in a busy casualty department, X-rays are often looked at by relatively inexperienced doctors. Later, when checks are made by a senior radiologist, mistakes are spotted.

Such mistakes are relatively unimportant if the bone is, for example, in the foot. But they can be lethal if an unstable fracture of the spine is not diagnosed. The answer is that X-rays should be seen by experienced doctors. Not everybody has the luck of a Spitfire pilot.

## 'If someone dies in a crash, I hope they give me their lungs'

Marie Greenwood needs a new set of lungs. The progressive and incurable disease sarcoidosis has gradually reduced to a critical level the efficiency with which oxygen from the air can diffuse into her bloodstream. Marie, a previously fit non-smoker, who is in her thirties and recently married, is now confined to a wheelchair and keeps an oxygen cylinder by her bedside. "I hope no one dies in a car crash today," she says, "but if they do, I hope they will leave their lungs to me."

Transplantation of human organs began in 1905 with the graft of a cornea in Olmütz, now in the Czech Republic. In 1954, the first successful kidney transplant was performed between identical twins in Boston, Massachusetts. The introduction of immunosuppressive drugs in the early 1960s greatly reduced the risk of graft rejection, and today about 2,000 patients a year receive a kidney transplant in the United Kingdom.

Heart transplantation, which began with Dr Christiaan Barnard's famous operation in Cape Town in 1967, is now performed on 300 people in the UK annually. About twice that number have a liver transplant, and a handful of lung disease sufferers go through the surreal experience of a "domino" operation, in which they receive a combined heart-lung transplant (technically easier than a lung transplant alone), after

One million donors have offered organs which could save the lives of people like Marie Greenwood. But more are needed, says Dr Trisha Greenhalgh

which their own heart is transplanted into someone else. In the 1993 UK Transplant Games, one man found himself running in a race against a man who had received his heart.

Unfortunately, many people who would be willing to leave their organs to people like Marie have never made their feelings explicit to their next of kin. Even if they have signed a donor card, they may not have it with them when they die. Last October, the electronic NHS Organ Donor Register was launched by the Department of Health and the millionth name will soon be added to the database. Staff on emergency wards can now check the status of any accident victim whose identity is known.

Understandably, doctors dread breaking the news that someone's husband, wife, parent or child is dead. Following this with a request for organ donation is not easy. When I was a junior doctor, I worked for a while in a neurosurgical intensive care unit. One day, an 18-year-old girl, Zoe James (not her real name) was flown in by air ambulance from Italy. She had sustained severe and permanent brain damage in a motorcycle crash, but there were no external signs of injury.

For three weeks, Zoe lay flawless and beautiful against the pillows: her long blonde hair, brushed daily by a devoted team of nurses, haunted me on ward rounds.

Then, two sets of very sensitive tests 24 hours apart confirmed that Zoe's brain stem, the seat of life and origin of her consciousness, was unequivocally dead. The life-support machine was due to be turned off.

Zoe was an only child. I tried, but failed, to muster the courage to ask her parents whether surgeons might remove various of her organs to give life to up to six people and sight to two more. To my knowledge, none of the staff in the unit grasped the nettle either. Given that nothing was going to bring Zoe back, should we perhaps have given less weight to the sensibilities of her grieving relatives?

In a recent article in the *British Medical Journal* (May 6), Professor Alan Stein, a communication specialist, confirmed that at least 10 per cent of potential donor organs are wasted because doctors are reluctant to add to the distress of the next of kin. In another 30 per cent of cases consent is refused — perhaps partly because the person

making the request is inexperienced, insensitive, or ignorant of certain technical details which relatives wish to know (such as where the scars will be on the body).

Professor Stein and his team have shown that bereaved relatives are more likely to consent to organ donation if the doctor is properly trained (special courses for medical staff are now available) and if two emotionally draining events — the explanation that the patient is dead, and the request for organ donation — are clearly separated in time. There is also some preliminary evidence that giving away the organs of a loved one may sometimes be an important source of comfort in an otherwise futile and tragic episode.

Many people's reluctance to register themselves as potential organ donors is due to fear that doctors may "let a person die" in order to pluck his or her organs in peak condition. This is a myth. Although the hypothetical consent of relatives may be sought when the patient is not yet on the critical list (and hence people have been known to come out of a coma and claim that "doctors tried to take my kidneys"), a transplant operation is, in reality, never seriously contemplated until two indepen-

dent doctors have confirmed on two occasions that the patient really is dead. These tests must be performed by a different team of doctors from those looking after a patient who might receive the organs.

Another common, and equally unfounded, fear is that one's body will be left with gaping holes after the precious organs have been snatched. When I was a medical student, I assisted in an operation to remove the kidneys of a small boy who had died of a brain haemorrhage. I asked if I could sew up the wound, but the surgeon would not let me. "These scars have to be practically invisible," he told me. "We're taking him to the chapel next."

At the moment, the queue for kidney transplants in Britain stands at more than 5,000. Hundreds more people are waiting for a new heart, lung, liver, bone marrow, small bowel, or pancreas. Although about a million potential donors have already signed up, people healthy enough to donate their organs do not die commonly. Furthermore, the tissue of donor and recipient must be almost identically matched, and some patients have been waiting years for the phone call to say that a suitable organ has become available.

Perhaps 1.5 million people will read this page. If it is only apathy that has prevented you from offering your organs for donation, why not do it now? It might save your next of kin an agonising decision.



If only apathy is stopping you, why not join right now?



Marie Greenwood: many people would donate an organ — but they never say so

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## Lying your way to medicine's glittering prizes

Si Peter Medawar, a Nobel prizewinner in medicine, took a robust view of scientific fraud. Every group has its quota of crooks and there is no reason why medicine should be any different, he asserted.

Every day people in all walks of life bend the truth. Yet to falsify research results, as Malcolm Pearce, a consultant at St George's Hospital in London, was yesterday found guilty of doing, is still seen as a shocking offence. In a field where truth is the quarry, polluting the literature with lies is an act of betrayal.

Fraud has probably always been with us, because an activity that depends so much on individual honesty is easily perverted by the unscrupulous. Piltdown Man may have been intended as a joke rather than a fraud, but the effect was to misdirect anthropology for a generation.

Nigel Hawkes looks at the researchers who are prepared to cheat to get the right result

Stephen Lock, a former editor of the *British Medical Journal* and an expert on medical fraud, says fraudsters are often energetic middle-grade researchers, usually male, who are working full-time in an important research institution. They very often work on "hot" topics, such as molecular biology, cancer, or cardiology, and their rewards are not money but prestige, promotion and prizes.

The pressure to be first is intense. Researchers also become strong advocates of their own theories — even before they have proved them right — in order to raise research money. Convinced they are on the right track, the temptation is to anticipate success before it is achieved.

Malcolm Pearce's bogus report on pregnancy

Mr Pearce claimed that he had successfully transferred an ectopic pregnancy — one occurring outside the womb — into the womb and brought it to term. The benefits of such treatment would be great. Perhaps he genuinely believed

he was on the verge of success, or feared that a rival was; but he has given no clear account of why he did it.

The case casts a harsh light on the practice of "gift" authorship, where researchers who have no connection with the work have their names added to the credits. In this case the head of department, and editor of the journal where the article appeared, Professor Geoffrey Chamberlain, signed the report "as a formality". This is not unusual: Robert Shusky, a cardiologist at the University of California in San Diego, published 137 papers between 1978 and 1985, many with colleagues' names added as a gift. When doubt was finally cast on his work, an inquiry found that 12 of the

papers were fraudulent, another 48 questionable, and 77 valid.

So what of that other scientific shibboleth, peer review? In this case, no referee could have detected the fraud, short of questioning staff at St George's. All that a referee can be expected to do is ensure that the data is new, worthwhile, and contains no obvious internal inconsistencies. To do any more is to risk the charge of bias or obstructing a rival.

In this case, the paper was modestly written, even citing two earlier reports of successful relocation of ectopic pregnancies by different methods. It concluded with a joke: "We freely admit that we stole the idea for uterine replacement of ectopic pregnancies from Professor J.D. Grudzinski, who less freely admits that he stole it from Professor Ian Donald." It was a joke that quickly lost its humour.

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**LASAT**



Libby Purves joins three former RAF men on a visit to their old top-secret base at Orford Ness

# Backroom boffins return to base

The group of old men stood laughing among the rusted barbed wire and rubble and notices about the Official Secrets Act: "Photography and sketching forbidden... Prohibited Area."

"They've knocked my building down!" said Ken from Instrumentation, indignantly. And indeed, there was nothing but a concrete pad, with pathetic scraps of 50-year-old MoD lino adhering to it. Ah, here was the canteen hut. Mrs Baker from the village. Terrible food. Perhaps I shouldn't tell you this... "It's all right," said Bruce from Ballistics reassuringly. "They can't post us anywhere now. We're all over 80."

But that story never got finished. We had another one, instead, about a mad mathematician called McPhail who blew his eyebrows off in 1943 during a private experiment with a German incendiary bomb. "Crazy about guns. Used to shove all this ammunition up the barrel and go out after birds. He never actually hit anything, just used to surround it with a ball of flame."

It was a weird, unsettling day out on Orford Ness in the company of these brisk old men. For these were the secret workers of the Second World War: the backroom boys, the boffins. On this five-mile spit of shingle between the North Sea and the River Ore, 60 years of military research took place in a degree of secrecy which means that even now, nobody quite knows what lies in some of the dereliction which the MoD cavalierly left in the mid-1980s. Radar was born here, in a shed; one of the first RDF towers, clad in homely black timber, looms blindly against the sea. Here were tested guns and sights, explosives and flying bombs. Here, by patient experimentation, the lives of British airmen were saved by an ingenious modification of the self-sealing fuel tank system of German bombers. The missiles of the Cold War, too, depended on certain obscure tests on their detonator mechanisms, conducted here in the Suffolk shingle.

We kept falling silent at the brutality of it all, the grim, soot-roofed pyramidal laboratories, the odd pagodas built to absorb blast, and the twisted remains of one of Barnes Wallis's early attempts at the bouncing bomb. It was even more surreal to be escorted round

it all by the National Trust, whose latest acquisition it is. No shops or pot-pourri here; only these fearful military relics, their steel and concrete gradually being colonised by lichen and the roots of the yellow horned poppy. Merlin Waterson, the regional director, fought hard to buy the site back for the nation. Pretty it isn't, but the mixture of human history and natural rarity affects him deeply. In the small exhibition in the old telephone exchange, a sign says: "...symbolic of the conflicts of man and nature, and nation with nature, Orford Ness will always be an uncomfortable and untidy place to visit".

Which, coming from the National Trust, is a brave and rather moving sentiment. No romance here, and only the grimmest of souvenirs. The naturalists among the Trust guides did keep pointing out the rare straited shingle, the creeping sea-pea and the peculiar richness of the local mud-life, but the eye kept straying. At one stage, I was allowed where the public emphatically will not be, close to the pagodas. They cover the pits where nuclear detonators were tested. Under an unsupervised and rather disgraceful contract between the MoD and some scrap-metal merchants in the 1980s, these were looted; today, you lean over razor-wire and look into a

great cavern where each detonator would be exposed to deep cold, great heat, vibration and other hazards to ensure that nothing would accidentally set the bomb off early en route for Leningrad. It is an eerie spot; you are quite grateful, as you back off, to be recalled to the subject of marsh harrier nesting areas.

Maurice Helliwell, who commanded the Ness from 1953 to 1958, was the most philosophical of the old men. "Glad it's to be left to the birds and the flowers," he said, in clipped fashion. "Leave it in peace." The others merely revelled in snowballing memories of their days as boffins in that brilliant, nervy world of urgent round-the-clock research, and blind eyes toward. "I'd set up a plane - a Junkers 88, or a Dornier or whatever - to fire rounds of ammunition through it. When I started firing," said Ken, "two or three labourers would pop out. They'd have been in there pinching things. It was very slack in those days, just one



Fifty years ago Ken Daykin (left), Maurice Helliwell and Bruce Gordon did secret ballistics work at Orford Ness; now it belongs to the National Trust and is open to visitors

policeman on the quay. Once the Atomic Weapons lot arrived it was a superintendent, dogs, the lot... tell 'em how you shot your finger off, Bruce!" It was the armorer's fault, says Bruce with dignity. "He'd been out along Stoney Ditch, potting at birds with this German Luger, and he left it on the table. I picked it up and he said 'You can't pull the trigger' and I must have pushed the safety-catch with my thumb. The bullet went

through my hand and into a wooden box. He dug it out later and gave it to me when I came out of hospital." And the hand? Bruce holds it up, an index finger missing. "It was all hushed up of course, this was wartime. They paid my salary, that's all. But this finger isn't needed in golf. Now if I'd been a cricketer..." And off they go again into some canard about someone shooting one of the RAF cricketers.

The old boffins made the site seem a more human place. The wicked shapes of the AWRE pagodas, after all, were a late addition: before that came years of exhilarating slide-rule science, of huge advances made in small sheds. One of the men who worked with Robert Watson Watt in 1935, at the moment of his breakthrough in radar, told the Trust's historian of the day when the Minister for War came down. They showed

him the unbelievable: a blip, tracking an invisible aircraft. They offered to repeat the test to prove it worked. "Very interesting, young man," said the minister, bored. "But time for lunch now, I think." It's all over now. No more loud bangs on the Ness; just nesting and slow vegetable growth across the mud and shingle. In the distance, just outside the Trust's remit, lies a great grey cathedral of a building, the 1970s HQ of the

Anglo-American Cobra Mist project for over-the-horizon radar. It never worked, so they all went away again. Today that workplace of 400 men is tenanted by three BBC World Service transmitter engineers and a cleaner. Mad, all of it: look on our works, ye mighty, and despair. But at least the Trust has decided to let the labs and the pagodas crumble, through long years of - we can only hope - peace.

## When office life becomes a killer

In Philip Kerr's disturbing novel, *Gridiron*, a central computer turns against a building's inmates

In the 1970s Peter Benchley's *Jaws* made us terrified of dipping a toe in the ocean. In the 1990s Philip Kerr is hoping that his latest novel, *Gridiron*, will leave us petrified by the office. "I would like people to have second thoughts about it," he says happily. "My book confirms what most people feel anyway when they go to work."

Well, up to a point Mr Kerr. Most of us may not love the office. Nonetheless, we do not expect it to start killing us. We do not anticipate that the lifts will plummet 20 floors, that the plants will start spraying us with insecticide and the cleaner's trolley will chase us down the corridors.

All this, and more, happens in *Gridiron*, the name of a "smart" building in Los Angeles run by a central computer called Abraham. It controls

the building's management centre, modulating its temperature, playing the piano in the atrium and creating a beautiful blonde hologram to greet visitors at reception. Unfortunately, Abraham is so intelligent that he almost has a mind, if not a soul, of his own. He seals off the exits and embarks on a systematic slaughter of the building's inmates.

It reads like the plot of a disaster movie, and that is exactly what it is going to become. In March, long before the novel had made it into its washproof dustjacket, the film rights were sold to Working Title, the British company that made *Four Weddings and a*



JULIA LEWELLYN SMITH

Funeral, for \$1 million. If all goes well, the movie should be showing at your local multiplex by the end of 1996 and, assuming few changes are made, it should make *Die Hard* look like *Little Women*.

Not that Kerr is entirely happy with this suggestion. "I hope there are more ideas in my book than in *Die Hard*," he says. He is, after all, the author of five other superior thrillers, works that led to Granta naming him as one of its 20 best young novelists, an accolade shared by Kazuo Ishiguro, Will Self, Iain Banks and Jeanette Winterson.

*Gridiron* certainly grapples with thorny philosophical



Kerr: "We trust our lives to computers, and when they go wrong they go wrong spectacularly"

questions of artificial intelligence, while providing plenty of opportunities for the male characters to perform heroic deeds and the females to strip to their bra and panties.

The style is overwhelmingly visual, and Kerr admits that cinema has been his biggest influence. "I find films make more of a mark with me than novels. My first childhood memories are sitting through

*Ben Hur* in my local fleaph."

The son of a property developer, Kerr, 39, grew up in Edinburgh. The family moved to Northampton when he was a teenager. Dark and burly, with no trace of a Scots accent, Kerr looks like the lead hood in a Robert De Niro movie.

When it comes to work and money, however, Kerr is in accord with his Protestant ancestors. He has never had

an overdraft, and read law at Birmingham University because "my father persuaded me that there were no unemployed lawyers, but there were plenty of lawyers who wrote novels".

After a postgraduate degree came seven grim years as an advertising copywriter. "I was looking for a job that would allow me to write, and this was ideal as you could type away at

your desk for hours and everyone would assume you were writing some copy."

His colleagues spent three-hour lunchbreaks at Le Caprice, while Kerr researched in the London Library. He wrote for three hours every evening when he got home. In the early morning before work and one day at the weekend, "Steven-son was really talking about a writer's life when he wrote *Dr Jekyll and Mr Hyde*. By day you lead a respectable life and in the evening you roam free."

*Gridiron*, he says, is partly an outcry against those frustrating years. He was 32 when he made it into print with *March Violets*, a detective thriller set in Berlin. So it was not, Kerr stresses wearily, as if his million-dollar success came out of the blue. "People tend to view it as some sort of lottery win," he says defensively. "No one is surprised if an actor is paid \$1 million for a film, but there is a feeling that we writers don't deserve it."

He lives in south London with his wife, Jane, a journalist at *The Daily Telegraph*. Their two-year-old son, William, spends the day with his granny, while Kerr beavers in his office down the road. None of this will change. "People keep asking me if I will give up work now," he says in disgust-

ed bewilderment. "Why ever would I do that?"

Once at his desk, Kerr spends little time sharpening pencils. "Oh I never have any problem with inspiration, although that's becoming an unfashionable thing to say. A lot of my peer group think in terms of style and the story comes second, if at all. This is where I benefit from not having a degree in English. Everyone else is trying to do something new with the form of the novel; I'm quite happy with it the way it is."

Such would also seem to be the laudible message of *Gridiron*. Kerr swears that all his building's functions are technologically possible - he sat on a computerised toilet in Japan last year, with a module on the side of the seat that measured his blood pressure and told him how long he had been there.

Kerr swears he is not technophobic, but "we trust our lives to computers, and when they go wrong they go wrong spectacularly". Readers should not be alarmed by his dystopian vision. This is a man who admits to "a terrible morbidity" since his father died at 47. "I won't go to the gym in the morning," he says. "Statistics show you are most likely to die then."

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## Janet Daley



■ Trust the dear old liberal Anglicans to be one step behind in rushing to embrace the personal liberation ethic

Never mind the headlines: "Living in sin no longer a sin". To refrain from labelling certain domestic arrangements as "sinful" is hardly shocking. What makes the heart sink is the explanation for this change. The Church of England report (submitted with unconscious irony, *Valuing Families in Church and Society*) might have said that the phrase "living in sin" was archaic — that the Church should use language that rang truer to the modern ear. Such a statement would probably have evoked some resistance but it would have been of a largely sentimental kind.

But that is not what they said. This exercise was certainly not designed to present traditional Christian values in words that would be more credible to the current generation. Its real intention was to scrap the commitment of the Anglican Church to traditional marriage. In fact, if it is not impugning too much Machiavellian nous to the good churchmen, I would be inclined to think that they deliberately planted the "living in sin" bomb — shell to divert attention from what was truly revolutionary in their paper. The Right Rev Jim Thompson, Bishop of Bath and Wells, who appointed the members of this working party, has been quoted as saying that it deliberately avoided "populist" views — by which, he presumably means the opinions of those crass enough to believe that there is still some point in promoting legal marriage as a lifelong, sacred commitment. He thus neatly aligns himself with the liberal snobbery which has dominated social punditry for a generation.

Trust the Church of England to be one step behind the times. Just as the most progressive intelligentsia of all political persuasions are coming to the conclusion that the personal liberation ethic of the past 30 years has been a greased slide to nihilism, the dear old liberal Anglicans rush to embrace it. There is nothing about sanctified unions, they suggest, that is inherently superior to "loving" cohabitation. The Church should refrain from "judgmental" attitudes toward fornication. Those who are experimenting with different forms of relationship should be welcomed into the Church so that "we can learn from them". Note the report confined to relativising the Church's stand on conjugal matters. It advises the Government too to abolish all distinctions between the rich diversity of family types which the moral supermarket of modern life offers. In direct opposition to the recent recommendation of the Archbishop of York, the report says that no distinction should be made

There never was a 'golden age of the family'

by the tax and benefit system between married couples with children and single-parent families. There was never a "golden age of the family". Lone parents and step-parents, it says, were as common in earlier centuries as they are now, only for "different reasons". Thus, it is nostalgic folly to stigmatise them. Poverty must be remedied among all kinds of "families".

It is difficult to disentangle ignorance from disingenuousness in this argument. First, the history: the "different reasons" which gave rise to single parents and step-families in past centuries were largely to do with forces genuinely beyond the individual's control, such as death, disease and destitution. Of course no stigma was attached to the widowed or abandoned under such circumstances. There is a world of difference between that kind of plight and amoral fecklessness — the deliberate choice of personal freedom over family responsibility — which is responsible for most lone parenthood today. If poverty is the enemy of families of all kinds, why did the working party not attend to the fact that single parenthood is one of the chief causes of childhood poverty? Given that there is now overwhelming evidence of the material and emotional damage done to children by their parents' transitory domestic liaisons, what could be a better reason for becoming "judgmental"? Were the worthy clergymen who drafted this report really uninformed, or just victims of their own platitudinous wishful-thinking?

Presumably the clergy who think this way believe that they are courting popularity: that by refraining from excluding any choices of lifestyle, they are opening the Church to a wider catchment. But the branch of the Church that is actually growing fastest is the Evangelical wing which embraces unashamed spiritual values and strict moral precepts. Those liberal Anglicans who have sought to turn religion into a branch of the counselling industry might ask themselves why anyone should bother joining a Church which simply reiterates the secular conventional wisdom of the age. Does it not occur to them that what people want from religion is just that sense of absolute moral conviction that cannot be derived from today's (or, in this case, yesterday's) social fashions? And that desire for absolutes — for transcendent truths and values — has existed in every society which has survived long enough to be recorded. If the Churches cease to embody it, what sinister forces might emerge to take their place?



## The seeds of tragedy

Why my Tory friends have so many public and personal troubles

Ten years ago Morgan Grenfell, Barings and Warburgs were outstanding as three independent British merchant banks; they were great national assets. I knew, and respected, most of the leading managers. In 1985 Lord Cato was chairman of Morgan Grenfell and Christopher Reeves the chief executive; Lord Ashburton, then Sir John Baring, was chairman of Barings and Andrew Tuckey was the managing director; Sir David Scholey was chairman of Warburgs.

Now the three banks are all in foreign hands; Morgan Grenfell is German, Barings is Dutch and Warburgs is Swiss. Each sale was triggered by a particular event, but plainly the friends whom I admired were unable to develop a stable, prosperous and independent future for their businesses.

The five men running the banks in 1985 were not all still responsible at the time of catastrophe, yet all of them were running their banks until shortly before the catastrophes occurred. All five of them were, and are, men of first-class ability and honesty, much shrewder in business affairs than I could ever hope to be. It was not pilot error which primarily accounted for the loss of independence of these banks, but the competitive pressures of the market in which they were operating. There was not enough good banking business to go round, so each bank took on what turned out to be unsound business of one sort or another. High costs and uncertain profits undermined banks which had relatively little capital in international terms. Under these pressures even good managers make bad mistakes.

The three latest casualties in the Conservative Party I have also known reasonably well, and for a long time. I have known Jerry Wiggin for at least 25 years, and known Nicholas Scott and William Waldegrave for more than 30 years. When I read about some of the earlier Conservative casualties, whom I had never met, I assumed, as I think that most people do, that what had happened to them was the natural consequence of defects in their characters. When one finds three of one's friends in trouble at the same time, one rather quickly stops talking about "sleazy Tory MPs" and starts to examine the environment which has led to their problems, or their vulnerability. Plainly, as with the banks, something systemic and not

merely personal has been going wrong. Nicholas Scott is the saddest case, both because his alleged error is much the most serious, and because his political career had already had so much bad luck in it. I first got to know him in the early 1960s, when he was national chairman of the Young Conservatives; we were both active supporters of Rab Butler for the Conservative leadership in 1963. Nicholas Scott was then a leader of the younger group of socially concerned Conservatives that formed round Iain Macleod, and became

with ordinary people; and Margaret Thatcher. They were rather coming to think that they would have to go for Margaret Thatcher. He later had experience of junior office, but was dropped, which disappointed him deeply. He is a shrewd politician, though perhaps closer to the intellectual tone of the rugby XV than of All Souls.

William Waldegrave is the most intellectually gifted of the three men. Like Keith Joseph, he may not have enough of the rough and tumble of politics in him, but he is a good example of the serious intellectual trying to make a contribution in politics. His constituency chairman, defending him on television, said that in Bristol William was regarded as outstandingly honest for a politician.

That is ironic in view of Sir Richard Scott's draft criticisms, but it is true. He is an intelligent, thoughtful and straightforward man, a combination rather rare in modern Cabinet ministers.

Nicholas Scott and Jerry Wiggin both allegedly made personal mistakes — Nicholas Scott's supposed mistake being much the more serious of the two. They have both suffered from the ex-minister syndrome. As power has drained away from the House of Commons, there is little for ex-ministers to do. Their active careers are behind them and can hardly ever be restarted. They do not have the initial excitement of learning the parliamentary job, or the subsequent excitement of climbing the ladder.

They have some influence, but not much, yet politics is their profession and Parliament is their home. It is both an addictive and melancholy environment, in which the temptations of drink, women and fees do overcome some of them. On the whole it is better for their happiness if they get out, but in an age when by-elections are always lost, no prime minister can afford to promote all his ex-ministers to a less depressing retire-

## William Rees-Mogg

Nicholas Scott was on the opposite wing of the party to Margaret Thatcher: he lost his second potential patron when Ted Heath lost the leadership, and his third when Chris Patten became the Governor of Hong Kong rather than the leader of the Conservative Party. Nevertheless Nicholas Scott served for long periods in Northern Ireland and Pensions, unglamorous but demanding ministerial jobs, and showed that his compassionate approach to politics was more than a matter of easy phrases, but a genuine devotion to caring. If his career had gone a little otherwise than it did, he might have spent ten years in the Cabinet; he probably lacked the qualities of a Chancellor or Foreign Secretary, but could easily have become a progressive Home Secretary of the Whitehall type.

Jerry Wiggin is much more right-wing. In 1975 he came to tea with us in Somerset. I remember him saying that his group of Tory MPs had three possible candidates for the leadership: Edward du Cann, but they had heard that he had troubles in the City; Keith Joseph, but they feared he was too intellectual and out of touch

ment in the House of Lords. These three cases show the difficulty of filling the role of an independent member. One point in the leaked Scott draft is indeed preposterous. Both John Major, as Foreign Secretary, and William Waldegrave as the Minister of State, were sending out very similar Foreign Office letters, denying that there had been a change of policy over arms to Iraq. Sir Richard Scott is minded to find that these Foreign Office letters were misleading. Yet he blames the junior minister more severely than the Foreign Secretary. Junior ministers do not make policy, they execute it. The Foreign Office policy may well have been to bend the guidelines in favour of Iraq, but not to admit it in public. That is what the briefing they gave John Major says. Yet the main responsibility for adopting that policy, or maintaining it, rests with the Foreign Secretary and not with any subordinate minister.

There is undeniably something badly wrong with the Conservative Party in Parliament. As with the British merchant banks, experienced and normally reliable men have come to feel that the position is impossible. Men who feel themselves to be in some sort of a trap are capable of behaving rashly, sometimes merely unwisely, sometimes inexorably. In Parliament there has been a virtually complete takeover of the men, and the women, by the machine. The whips decide whose career has come to an end, and enforce their discipline on parliamentary voting. The Foreign Office decides what Parliament can be told. The Prime Minister presides, but the machine has the power.

It is now 12 years since there has been a Foreign Secretary who was the master rather than the servant of the Foreign Office. In 1990 the great departments of state combined to destroy the last independent Prime Minister, because they did not agree with her European policy. Each generation has seen the whips increase their control of the House of Commons.

The Members of Parliament, like the merchant banks, have lost their independence, and along with their respect. This is not just a problem for Conservatives: the Labour Party machine is just as formidable. Yet when people lose their sense of independence, tragedies, personal and public, will inevitably follow.

## Newt, the Right's saviour

Martin Fletcher on a wild-card candidate

Robert Dole may have lost Newt Gingrich a fortune. Citing the Senate Leader's recent assault on Hollywood's values, tinseltown's highest-paid screenwriter is pointedly refusing to adapt the House Speaker's steamy new novel 1945. Still, Mr Gingrich has for weeks been taunting Mr Dole with hints that he might challenge him for the Republican presidential nomination and this weekend he will further inflame the already rampant speculation with a four-day foray to New Hampshire.

Mr Gingrich, a keen amateur zoologist, is ostensibly visiting the site of America's first primary to watch moose. While there, however, the hottest personality in US politics will also address 850 Republican activists in Nashua, another 1,200 in Manchester, and untold other sold-out gatherings in between. He will criss-cross the "Granite State" by helicopter pursued by 200 journalists in chartered buses (a dozen covered Mr Dole's last visit). An advance team of eight has been planning this "state visit" and it should totally eclipse President Clinton's Sunday appearance at New Hampshire's Dartmouth College.

Mr Gingrich is like a burlesque dancer showing a flash of his No one knows if he really intends to go all the way, in the process triggering the first battle for a presidential nomination between a House Speaker and Senate Leader. But he knows exactly the message he sends by "working" New Hampshire and persistently refusing to echo General Sherman's unequivocal declaration after the Civil War: "If nominated I will not run. If elected I will not serve."

He is telling the grassroots conservatives who determine the Republican nomination he knows the present candidates do not excite them. He is signalling he could be available this autumn if he first wins his mighty battle to balance the federal budget, or if Mr Dole's Senate thwarts his revolution. In the meantime, the speculation will only boost sales of his new (and uneasy) book, *To Renew America*, that he launched with a 25-city tour this summer.

The fact is that Mr Dole, despite his huge lead in the polls, is from nowhere more by default than accident. The Right knows he is not really one of them, but he is pandering so shamelessly that the real conservative, Phil Gramm, can get no support. After 34 years in Washington, Mr Dole is suddenly big government's fiercest critic. The man who lost New Hampshire's 1988 primary because he would not sign the state's anti-tax pledge: has now done just that. A lifelong moderate, Mr Dole now decries gun controls, denounces affirmative action programmes and bashes Hollywood for subverting family values through films he has never seen. He has even, laughably, left his Methodist church because the minister was considered liberal.

Conservatives could conceivably mount a Stop Dole movement like that which threatened Gerald Ford's 1976 nomination if they had a Ronald Reagan to unite behind, but Mr Gramm's campaign has failed to ignite, and not just because Mr Dole is trespassing on his turf.

The Texas senator has angered New Hampshire by failing to defend its right to hold America's first primary, and social conservatives by focusing heavily on fiscal conservatism. The latter were further upset when it emerged that Mr Gramm once invested in a pornographic movie, and many have now switched to the long-shot conservative commentator Pat Buchanan. The result is a split conservative vote. As Mr Buchanan remarked: "Gramm's problem is, Buchanan, and Buchanan's problem is Gramm."

Pete Wilson, California's newly re-elected Governor, is also struggling to keep up the pace. He has angered his own huge state by breaking his promise not to run. A throat operation has delayed his official declaration and silenced him — literally.

Mr Gingrich deftly encourages a "Draft Newt" movement. He would run if "seven million people show up with a draft petition" he said last week. The chances were "51 per cent", said William Bennett, a top Republican. The more Mr Gingrich teases, the more people realise he is the one man capable of genuinely uniting and electrifying his party, that compared with his red meat the other leading candidates are bland vanilla. It is his agenda that Messrs Dole and Gramm are competing to enact in the Senate, and to him that Mr Clinton has spent the past six months reacting. Mr Gingrich embodies the party's new vision, and Republican activists worship him. Mr Gingrich now faces "the most horrendous summer of my life" as he seeks to enact legislation slashing federal spending by \$1,500 billion in seven years to balance the budget. If he achieves that without splinting his party, or triggering a national revolt, the nomination should really be his.

There could be no more riveting contest for the presidency than Mr Gingrich versus Mr Clinton, or a starker choice about America's future direction. Iowa holds the nation's first caucus. Watch for a visit to that state by Mr Gingrich.

## Lean years

ONE OF THE most spectacular victims of the slump in the house market is the late Sir David Lean's palatial riverside house on Sun Wharf, in London's East End. After a disappointing lack of interest, it is being remarked by the estate agents Savills — nearly two years after it first came up for sale.

The eminent film director had the East End wharf completely rebuilt in 1985 and it covers more than 11,000 square feet, including staff accommodation, with a 124 ft landscaped garden leading down to a river mooring. But despite the luxurious nature of its principal features (a private cinema as well as a master bedroom with his and hers bathrooms and dressing rooms on suite) Savills have failed to shift it. Sir Clive Sinclair and the pop star Sting showed interest last year but offers came to nothing. The agents have dropped the asking price from £3 million to £2.5 million.

"It very nearly sold a couple of times," says a Savills spokeswoman defensively. "And we are sure it will sell now. Sir David's family just want to get rid of it." A housekeeper is ensconced in the

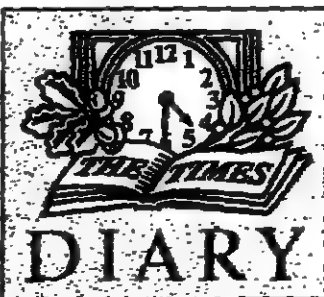
property, enjoying its views undisturbed.

## Fete attraction

THE REPERCUSSIONS of David Mellor's complicated private life are still being felt. Lord Cobham, whose estranged wife is now the partner of the former "Minister of



"I'd never really thought of ourselves as living in sin..."



Fun", is to make his first public address since the split. He is adjudicating on a local fancy dress parade and overseeing a coconut shy.

His duties start on Saturday, when he opens the biennial Hagley village carnival near his seat of Hagley Hall, in Worcestershire. "Two years ago Lady Cobham opened the carnival and pledged her support for it," explains an organiser. "But then the David Mellor thing blew up and everything was up in the air. So we approached Lord Cobham and he kindly agreed to step in."

## Patten's girl

GRAVELY escorting her father to the opening of an exhibition at the Roy Miles Gallery in Bruton Street on Tuesday night was Mary-Claire

Patten, daughter of the former Education Minister John Patten. Showing great aplomb, eight-year-old Mary-Claire did not turn a hair at a sarcastic remark made by another gallery-goer: "Politicians' girlfriends get younger all the time." She simply continued to make notes about the paintings.

## Saddled

TRANSPORT MINISTER Steven Norris is finally getting on his bike. He is to be put through his paces by a Lycra-clad character who goes by the name of Mr Motivator. As part of National Cycle Week, he is to lead a group of MPs on a short pedal from Covent Garden to Westminster on Tuesday. He is in full training. "The great thing about having a waistline like mine is that I will never wear Lycra," he puffs. He is suspicious of Motivator, who exhorts breakfast television viewers to do fiendish things to their bodies. "I once saw him and I had to leave the room. He looked so fit it made me feel sick. I believe that if God had wanted me to run he would have given me the body to do it."

● Sir Teddy Taylor was distraught as fire gutted Southend Pier's bowling alley yesterday. Until he became the town's Tory MP and



Domingo: advised to rest for a few weeks

chairman of the Pier Society, he had never played. "Now I'm a regular," he says. "Last Friday I achieved my highest ever score — it was 137."

## Double rest

THE ROYAL Opera House is putting on a brave face. Earlier this summer, Luciano Pavarotti pulled out of a performance at Covent Garden because of laryngitis. Now there is concern about another of

the three tenors, Plácido Domingo. Domingo has been ordered to rest his larynx for a month after an infection. Early next month, he is due to appear at the Royal Opera House in Stiffelio as part of the Verdi season. "He has been advised to rest for a few weeks," says the Royal Opera House. "But he has not cancelled Stiffelio. We are confident he is still going to appear."

P.H.S.





## STALE REPAST

Labour's policies still bear too many old socialist trademarks

Ever since Tony Blair became leader of the Labour Party, the country has been promised fresh new social democratic policies. For his first nine months, there was a good excuse for delay: the values of the party had to be updated before the policies could be designed to fit them. Now that has been achieved with the rewriting of Clause Four. So where are the exciting ideas to be found?

There are far too few in the batch of "new" policies that goes before the national policy forum at the weekend. This motley group of party members, local councillors and trade unionists will be asked to pore over papers on health, the economy, crime prevention and access to justice. If agreed, the policies will be taken to the National Executive Committee and thence to the party conference for rubber-stamping.

For all Mr Blair's rhetoric about Labour becoming the party of the consumer and the party that embraces change, some of the policies seem woefully stale. Health, in particular, bears the stamp of "old" Labour — not surprisingly, perhaps, since its author is Margaret Beckett. Reports suggest that she is still determined to dismantle many of the internal market reforms. The autonomy of trust hospitals and of fundholding GPs will be severely restricted.

If Labour really wanted to take a fresh look at the NHS, it would be acting not simply on the advice of health service unions and producers; it would be talking to patients. Most patients of fundholder GPs are delighted to find that their doctor has more power, is offering more services at the practice, and is generally better motivated. The waiting room might even have fresh paint. This might not be strictly medically necessary, but it raises the spirits of the ill.

Labour politicians sometimes boast that it does not matter what they say about the NHS. Health is an issue on which Labour cannot lose; all it has to do is paint the Tories

as privatisers. This is both cynical and wrong. If Labour wins power, it will have to put into practice what it has promised in its manifesto. Policies made now in opposition could determine the treatment of real people in two years' time. It is immensely important that the party gets them right.

Indeed, it is crucial, if Labour is to govern effectively, for it to arm itself with the right set of policies across the board between now and the next election. Many senior Labour spokesmen seem to think that it is safer to "travel light": to avoid specifics and just to talk in the right tone to the electorate. That tactic might win the party the election, but it will not ensure good government.

If and when Labour comes to power, it will face a phalanx of interest groups that have been waiting eagerly for the chance to have what they see as injustices put right. A Labour administration could easily be blown off course by the demands of producer and lobby groups who have been praying for a Labour victory for decades. Only if the party has made clear in its manifesto that it will not give these lobbies what they want will it be able to maintain its course.

Mr Blair went some way towards explaining this in his speech to the GMB general union yesterday. A Labour government, he said, could not have the close relationship with the trade unions that those in the 1960s and 1970s enjoyed. This will doubtless be interpreted in the narrow context of public-sector pay, employment rights and the minimum wage. But his message needs to go wider. Labour's new policies should not be designed to appeal to producers in the public sector — whether they be doctors or dustmen. If Mr Blair is to be true to his word, they should be designed for consumers. The day that patients, parents, local residents and train passengers start to influence Labour policy will be the day that Mr Blair's promises might be fulfilled.

## A NATIONAL SHAME

The 'Japan that can say no' cannot quite say sorry

For a year, the Japanese political establishment has been struggling over a suitable form of words to serve, 50 years after the "Greater East Asian War" ended, as the nation's first collective apology. Yesterday, it gave birth to a statement which will only confirm suspicions that the nation still refuses to face up to the fact that it invaded other countries and treated millions with inexcusable inhumanity. In essence, the resolution on which the Diet is to vote later this week says that many countries imposed colonial rule and committed acts of aggression, that Japan recognises that it was one of them, and that it expresses "deep remorse" for the suffering caused. In other words, Japan behaved just like everybody else.

Japan's politicians, in this as in so many respects, have failed their country. The most recent polls showed a clear majority of Japanese in favour of an apology, although six million a year still worship Japan's war dead at the Yasukuni shrine, and nearly a third continue to think one unnecessary or inappropriate. The Diet resolution is a retreat from the "profound remorse and apologies" offered two years ago by Morihiro Hosokawa when Prime Minister. Even so, it is no forthcoming for 140 of the 208 Liberal Democratic Party (LDP) members of the ruling coalition. They were prepared to go no further than condolences for all war dead and a general wish for peace. Their leader has announced that MPs in this faction will boycott the Diet vote on the resolution later this week.

Should they do so, Tomiichi Murayama, the Prime Minister, should make good his threat last month to resign and call a general election. Last June, he made a proper national apology to mark the 50th anniversary

sary a key condition of his Socialist Party's marriage of convenience with the LDP. But no one expects Mr Murayama to do any such thing. The only reason that compromise was reached at all on this issue is that there is all-party consensus on another: their determination to avoid facing the electorate for as long as possible.

They fear that Japanese voters, disgusted with all politicians, might repeat on a national scale the trick they played in April, when they elected comic actors as governors of Japan's two largest conurbations, Osaka and Tokyo. But so marked is the absence of leadership that even this rebuke merely compounded the politicians' paralysis. Most parties are in such chaos that they are finding it hard even to name their candidates for next month's elections to the less powerful upper house of parliament. The LDP is breaking up into three main factions which may yet become new parties. The Socialists have voted to disband and form a new party, but cannot agree on what to call it or what it will stand for. All parties are broke; new laws limiting political donations have drained their coffers.

Japan's year-old coalition, built on nothing but opportunism, is incapable of dealing effectively with any of Japan's ills: the rising yen, a stubborn recession, a grave banking crisis, trade war with America and growing concerns about Asian security, should the US disengage. The Japanese Right wants a more assertive foreign policy, summed up in talk about "a Japan that can say no" to the West. So long as it will not face the past with honesty, such ambitions will offend and alarm. The 50th anniversary was an opportunity to make symbolic, and therefore real, peace. It has been sadly mishandled.

## PEDAL POWER

Cycling is cheap and healthy but it must also be made safe

A few days before National Bike Week, which begins on Saturday, the Government has announced the first real encouragement it has ever given to cyclists. Cycling would now be "at the centre of our strategy", Steven Norris, the junior Transport Minister, told the Commons. Cyclists would no longer be treated as the poor cousins of motorists. More and better-protected cycle lanes would be built. Money would be given to the projects for a 5,000-mile national cycle network and the 1,000-mile London network. The country, this late convert to cycling suggested, should get on its bike.

For too long cycling has been associated with wartime austerity, country bobbies and prim aunts. The dream of every cyclist in the 1950s was to graduate to a car, and government transport policy has been driven by this assumption. The Department of Transport spends a mere 0.16 per cent of its budget on provision for cyclists, amounting to £10 million compared with £1.8 billion spent on roads. Those who use bicycles in British cities do so at their peril: there are few dedicated cycle-ways, little separation from fume-belching juggernauts and no racks where cyclists can leave their machines during working hours. The comparison with much of the Continent, where cycling is still a principal form of commuter transport, is shaming. In Birmingham a mere 0.9 per cent of all journeys are made by bicycle, compared with 30 per cent in Copenhagen. The advantages of cycling are obvious. It

is extremely cheap: the infrastructure, vehicles and fuel needed — human energy — cost next to nothing. It is virtually silent and non-polluting. It promotes health and fitness. It is often the fastest way to move from one point to another. And it brings a human dimension into the daily grind of commuting: those who are lucky enough to cycle beside rivers or through parks arrive at work refreshed and exercised.

All this has long been clear. Last year's Royal Commission on Environmental Protection recommended a quadrupling of urban cycle journeys. Such proposals are pious words without architectural, planning and economic support. Cyclists do not need simply an extra metre at the side of the road; they need separated, dedicated routes that take advantage of towpaths, riverbanks, disused rail lines, elevated thoroughways and tracks through parks and woods.

Cyclists, of course, must show the discipline and responsibility that an increase in numbers will make more urgent: the bad example set by lycra-clad messengers who jump the lights and weave recklessly among cars pushes up the accident rate and discredits the entire mode of transport. Enthusiasts hope that at least 250,000 people will take part in National Bike Week. Learning to ride a bicycle is one of the rites of passage of childhood, never to be forgotten: learning how safe, responsible cycling can improve the quality of life is something no nation should forget.

## Leaks, gags and trial by media

From the General Secretary, The Association of First Division Civil Servants

Sir, The problems that are now arising in relation to the Scott inquiry were entirely predictable and predicted.

No evidence has been taken on oath and individuals have not been allowed to cross-examine evidence against them. Instead they have been given the very much more limited opportunity to answer criticisms about their conduct made in the draft report. It is not a satisfactory alternative and simply would not be countenanced in relation to any court proceedings.

Lord Denning, who conducted the inquiry into the Profumo affair, said that he had to act "detective, solicitor, counsel and judge" and Lord Salmon in his 1966 report concluded that such proceedings are no substitute for inquiries under the 1921 Tribunals of Inquiry (Evidence) Act.

Almost 30 years later all the same difficulties are evident, this time with the benefit of full-scale publicity. Presumably those who seek to rush to judgment on the basis of a few extracts from a draft report would be appalled if half way through a trial conclusions were reached about those giving the evidence.

The protection afforded to witnesses has been scant enough, without the fear that every attempt they may make to defend themselves may find its way on to the front page of national newspapers and be subject to dissection, or in some cases, outright dismissal, by the leader writers.

Yours sincerely,  
ELIZABETH SYMONS,  
General Secretary,  
The Association of First Division Civil Servants,  
2 Caxton Street, SW1,  
June 6.

From Professor P. J. N. Sinclair

Sir, No one is above the law. Yet is the complex, shifting balance of advantage between an uncertain foreign power, and safeguarding British jobs (and hostages), best debated *ad hoc*? Must every re-evaluation of the risks that leads to policy re-orientation be divulged in correspondence or announced in Parliament? Are there no circumstances when revealing this could harm British interests?

Surely open government should not mean that international relations are to be a game that Britain now has to play with all her cards face up.

The root question is this. Years ago, the Government's legal officers failed to stop a public body, Customs and Excise, from launching misguided prosecutions; and ministers felt impelled to issue gags that could cause justice to miscarry. Can we justifiably attach grave blame to individuals who had to work under that most absurd of systems, thankfully now reformed?

Yours sincerely,  
PETER SINCLAIR,  
The University of Birmingham,  
Department of Economics,  
Edgbaston, Birmingham B15 2TT,  
June 6.

From Mr W. John Bishop

Sir, When British history for the late 20th century comes to be written, will it not be seen as a lasting blot that it then became routine for sensitive documents, however provisional or confidential, to be leaked from within government or Civil Service to the media, which then airily proceeded to publish them?

Yours faithfully,  
W. J. BISHOP,  
The Springs, Oakenden Lane,  
Chiddington Heath,  
Edenbridge, Kent,  
June 8.

## Sliced and wrapped

From the Director of the Federation of Bakers

Sir, Bernard Levin ("The worst thing since", June 2) asks why, when there has never been a wider variety of bread available, the public chooses the "British" sliced and wrapped loaf.

The reasons are versatility, nutrition and value for money. Sliced and wrapped bread can be used in a variety of ways, it keeps fresh for longer and is less wasteful than other forms of bread. This is being increasingly recognised on the Continent — sliced and wrapped bread made in this country and exported to Paris daily is invariably sold out.

Nutritionally, sliced and wrapped bread is the best value food per penny by a very large margin.

Yours sincerely,  
ANTHONY CASDAGLI,  
Director, The Federation of Bakers,  
20 Bedford Square, WCL,  
June 2.

## In Wilson's memory

From Mr Brian Lynch

Sir, Now, as Lord Wilson is laid to rest and his career is in the hands of the historians, would not an appropriate mark of respect for the man be to re-name the Open University, his creation, after him?

Yours faithfully,  
BRIAN LYNCH,  
3 Marlborough Road,  
Brentham, Essex,  
June 7.

## LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5900

### 'Injustice' of manslaughter jailing

From PC David E. Smith

Sir, As a serving police officer I would like to express my personal views on the case of the Wembley shopkeeper, Rajendra Patel, sentenced to 2½ years' imprisonment for the manslaughter of Stephen Isied who, armed with a knife, had attacked and robbed him in his store. Patel had then given chase in his car and run the robber down, killing him in the process.

In my opinion the law under which Patel was sentenced has had a manifestly unjust effect. I do not condone the killing of Isied, in what the judge described as a deliberate act, and I fully accept the verdict of the jury. However, Patel was a man of good character, going about his lawful business; he was not the instigator of what happened, and if he could have prevented Isied from coming into his shop and attacking him I have no doubt that he would have done so.

One can only imagine Patel's terror in having a knife held to his throat, especially since he had been the victim of two earlier attacks (one of them resulted in his being stabbed in the chest). With the adrenaline flowing he would have been pushed into action

which he would never normally contemplate.

Isied had chosen to enter into a violent exchange with his intended victim, knowing that it was likely that one of them would be seriously hurt. Presumably he expected Patel to be that person, but he was wrong. I submit that he was the author of his own misfortune.

How is the public interest to be served by imprisoning Patel? It cannot be said that he represents a danger to the public; he is not a persistent offender. He acted on impulse, under extreme provocation, in a situation not of his making for the remainder of his life he will have to live with the fact that he has killed a man. Every time he opens his shop in the future, he will be dreading the possibility that he could be subject to another attack. I believe that Mr Patel deserves sympathy and help to rebuild his life. I can see no purpose in depriving him of his liberty.

Yours faithfully,  
DAVID E. SMITH,  
153 Thorpe Road,  
Great Clacton, Essex,  
June 5.

### Value of high-paid directors

From Lord Harris of High Cross

Sir, It may be difficult to resist a natural emotional spasm against high executive salaries, but shouldn't commentators try to give a lead to more rational debate?

Your report (June 1) of Richard Giordano, the chairman, presiding over the rowdy British Gas AGM might have reminded us that when he went to BOC in 1979, conventional eyebrows rose even higher than his record emoluments. Yet during the decade of Mr Giordano's leadership, BOC shares rose from around 55p to well above 600.

As David Marwood laments (letter, July 2, other letters, June 5), the orchestrated militancy of short-sighted British Gas shareholders has simply put such future gains at risk. They should instead have pondered the secret learnt by shareholders of Glaxo, Hanson, Marks & Spencer, Cookson, and many less well-known companies, that where "entrepreneurs" are concerned millionaires often prove cheap at the price.

Your leader writer may shed tears for small shareholders ("Sid turns up the heat", June 1) but in the days of loss-making state industries, what

power did we wield as even smaller voters at elections every four or five years? For taxpayers and consumers — involuntary shareholders all — those mostly forgotten appointed boards of directors were admittedly paid low salaries. But who would now say they were a good bargain?

Yours faithfully,  
RALPH HARRIS,  
House of Lords,  
June 5.

From Mr James McFarlane

Sir, When I was a factory manager in the 1970s and 1980s, I many times had to rebut wage claims from the trade unions that were based on comparability, relativity and parity. I was happy enough to do so as I thought the arguments were specious and feeble.

I am disappointed now to hear the same arguments in the mouths of chairmen and chief executives. It becomes them. The arguments are as feeble now as they were then.

Yours faithfully,  
JAMES MCFARLANE,  
24 Broad Street, Ludlow, Shropshire,  
June 6.

### Osborne memorial

From the Rector of St Giles-in-the-Fields

Sir, Your article of June 5 by Libby Purves about the memorial service for John Osborne held at St Giles-in-the-Fields Church suggests that the clergy at the service turned a blind eye to the framed notice placed outside the church forbidding entry to certain of his acquaintances, and goes on to suggest that this was done out of a reluctance to antagonise the famous names who were attending the service.

This is nonsense. I have been Rector of St Giles-in-the-Fields for 46 years and in all that time it has been my unvarying policy that the church is open to all. I am in my eightieth year and the fame or otherwise of my congregation is a matter of indifference to me but my principles are not. I do not learn of the existence of the notice until after all the people had gone away, and had I known earlier I would immediately have had it removed.

I entirely agree with Miss Purves that personal feuds are un-Christian and "hideous behaviour". I only wish that she had bothered to discover that

I was her ally and not her enemy before she rushed into over-hasty criticism.

Yours faithfully,  
GORDON TAYLOR,  
St Giles-in-the-Fields Rectory,  
15A Gower Street, WCL,  
June 6.

From Lord Gowrie

Sir, Libby Purves plays the Church for presiding over "godless socialist services" such as the memorial to John Osborne. As one present, and mentioned in her piece, I regret the implications.

John was a friend, a fellow-Christian of a curious kind (is there any other?) and many besides myself were surely praying for his soul. David Hare's eulogy was a masterpiece and secular art and sacred disciplines were well combined. As to the note on the door excluding four people, who says the Almighty has no sense of humour?

Yours faithfully,  
GOWRIE,  
House of Lords,  
June 6.

### Cost of welfare

From Mr Frank Field, MP for Birkenhead (Labour)

Sir, Peter Kiddle ("The sinking state of welfare", June 5) rightly quotes me as saying that there is no large constituency to support redistributive taxation. As I try to make clear in *Making Welfare Work*, I do believe there is support from voters to reverse much of the tax redistribution to the richest 1 per cent which occurred under the Thatcher governments. It was to middle and lower-income groups that I addressed my comments.

Voters are now even more concerned about their own living standards than those of others. The new National Insurance Corporation which I propose will be run by those who contribute — mainly employers and employees — where wage-related contributions will be clearly linked to wage-related benefits. Additionally, I believe it is possible to win support for a clear, above-the-board redistribution from taxpayers to pay the contribution to this scheme of the very low-paid and those who it is accepted should be outside the labour market.

What I do not think voters will stand for — and I agree with them — is to have national insurance contributions redistributed by politicians who insult them by suggesting that they will not notice, or for general increases in taxation linked to unspecified redistributive acts.

Left politics in the millennium will

need to be about building or strengthening institutions which add to social cohesion in a climate where voters, as they get richer, will want to see even less taken by governments. The National Insurance Corporation seeks to do this and win widespread electoral support at the same time.

Yours faithfully,  
FRANK FIELD,  
House of Commons,  
June 6.

From Mr Brian Crozier

Sir, The proposals by Robert Skidelsky and Frank Field to reduce the burdens of the welfare state are welcome, as far as they go. But do they go far enough?

The National Health Service was flawed at birth by the absurd principle of equality and Labour's almost pathological hatred for the means test of the depressed Thirties.

By throwing common sense to the winds in the interests of an untenable theory of equality, the Atlee Government from 1945 on created a monstrously inefficient Welfare State, the costs of which go on escalating year after year with no end in sight. And the result is less welfare not more.

These words appeared in *The Minimum State* (1979). The author? Modesty forbids.

(And still, 16 years on, the burden increases.)

Yours faithfully,  
BRIAN CROZIER,  
Flat AA, 1 Carlisle Place, SW1,  
June 6.

### Resistible lure of See of Winchester

From Mr Peter Schofield

Sir, Clearly the allure of £24,590 pa plus a palace and a seat in the Lords has not succeeded in drawing clergy away from their friends and has failed to tempt clergy wives from their careers, towards accepting the See of Winchester (letters, June 6).

Perhaps the Crown Appointments Commission, "facing exhaustion" (report, June 3), should consider including the following in the job specification when approaching likely episcopal candidates from a once well used source known as the Prayer Book: Be to the flock of Christ a shepherd, not a wolf; feed them, devour them not. Hold up the weak, heal the sick, bind up the broken, bring again the outcasts, seek the lost.

These might be just the job-perks that will attract a "godly and well-learned man" — and wife.

Yours faithfully,  
PETER SCHOFIELD,  
Waverley, 23 Beaufort Road,  
Ashton under Lyne,  
Greater Manchester,  
June 6.

From Mr Oliver Lever

Sir, In 1943, Hensley Henson, a retired bishop of Durham, wrote: "Certainly, the treasured citadel of pastoral independence known as the Freehold of the benefice is more serviceable to the idleness than to the efficiency of the incumbents." The freehold is still with us, and so are idle clergy.

I wonder if, when trying to fill the See of Winchester, the Crown Appointments Commission have remembered to emphasise that in 1952, Garbett, newly appointed as bishop, bemoaned the fact that he had not enough to do. Since then, confirmations have dropped from 3,651 to 1,174 in 1993, and the number of clergy from 385 to 252, but an additional suffragan bishop (Basingstoke) has been added to the staff.

Yours faithfully,  
OLIVER LEVER,  
Blackacre, Back Lane,  
Malvern, Worcestershire,  
June 6.

From Mr Jeremy Burdett

Sir, Should we bemoan or applaud the lack of willing candidates for the Bishopric of Winchester and the Church Commissioners' inability to make the Church of England a viable plc?

Both appear to be signs of weakness from within the Church; in reality, they present an opportunity to dismantle the hierarchic and fiscal dinosaurs which the Church of England has come to present to the world, and for moving closer to the form of the early churches, where bishops were responsible members of local congregations and all finance was carried out through voluntary (willing) contributions.

Yours faithfully,  
JEREMY BURDETT,  
Cockhale Farm, Lindfield,  
Haywards Heath, West Sussex.

### Old hand

From Mrs Elizabeth Sussex

Sir, The distinction of being "the oldest working journalist in Britain" (Doris Powell's obituary, June 5) almost certainly belongs to George Fraser of the Aberdeen Press and Journal. According to the latest issue of *Gaudeamus*, the graduate magazine of the University of Aberdeen, George Fraser still writes a weekly column in the *Press and Journal* and will be 100 years old this year.

Yours sincerely,  
ELIZABETH SUSSEX,  
26 Heath View, NZ,  
June 6.

### Sporting double

From Mr G. A. Goodve

Sir, My wife feels that the purchase of a second Underground train for the Circle Line would do much to ensure my arrival home before dinner is over.

Yours faithfully,  
G. A. GOODEVE,  
Grayella,  
319 Outwood Common Road,  
Billericay, Essex.

### Angels' tots

From Mr Julian Ryder Richardson

Sir, HMS Victory arrived at Portsmouth on December 4, 1805, just 44 days after the battle of Trafalgar. If Roger Seal's theory (letter, June 2) on the loss of the brandy used to preserve Nelson's body is true — that French Cognac makers would be prepared for *la part des anges* to cause the evaporation of half the barrel's contents, in the North Atlantic in November — perhaps it explains why a good malt whisky is a lot cheaper than a good Cognac.

Yours faithfully,  
JULIAN RYDER RICHARDSON,  
Friary Court, The Friary,  
Salisbury, Wiltshire.

From Mr John Constable

Sir, Non Angeli sed Angli.  
Yours obediently,  
JOHN CONSTABLE,  
14 Church Street,  
Pershore, Worcestershire,  
June 4.







## OBITUARIES

## COLONEL SIR PETER HILTON

Colonel Sir Peter Hilton, KCVO, MC and two Bars, Lord Lieutenant and Custos Rotundorum of Derbyshire until last year, died on May 30 aged 75. He was born on June 30, 1919.

PETER HILTON was left for dead in the Second World War when his Jeep detonated a mine in the battle for Normandy. He was found lying face down in the mud with horrendous head injuries, his smouldering vehicle lying half on top of him. At best his career in the Army seemed to be over.

But the young Royal Horse Artillery officer, three times decorated in the field for extreme gallantry, fought his most heroic battle of all in a Birmingham hospital. Doctors failed to save his left eye, a loss which endowed him with the nickname of "hawk-eyed" Hilton. But they otherwise performed such miracles that in a year or so he was back in uniform.

By cruel coincidence, the plastic surgeon Sir Harold Gilliat who repaired his face had carried out his first operation on Hilton's father, who had been blown up in the First World War. The young Peter Hilton was the last patient he treated before retiring.

Father and son had a rare pedigree to sustain them. The Hiltons were one of Britain's oldest families with a lineage stretching back to the 17th century. Their old seat on the Wear Estuary, Hilton Castle, had been sold over 200 years earlier to the Bowes family, ancestors of the Queen Mother. Most of their forebears had been soldiers who had fought for one cause or another throughout the Middle Ages. Four Hiltons had perished at Crécy, five more at Bosworth — and countless others had similarly fallen on Europe's battlefields.

Peter Hilton had been born at Winchester where his father, Major-General Richard Hilton, was serving at the time. But his father (who later accepted the German surrender in Norway) spent much of his early career in British India pacifying inhospitable outposts of the Empire. So his son had been largely brought up on the Isle of Wight where his grandfather was rector of Yarmouth.

He went to Malvern College, then to the Royal Military Academy Woolwich, where he won the sword of



honour before following his father into the Royal Artillery. He was due to join his father's regiment in India when the war broke out — and both father and son were diverted to fight in France.

In the rearguard with the 19th Field Regiment at Dunkirk, Peter Hilton was picked up on the beaches by a fishing boat. But his skipper was so exhausted that he collapsed. His fellow "passengers" elected Hilton to take his place on no stronger basis than that he had been reared on the Isle of Wight. So he gingerly stood by the helm and, following the famous fleet of little boats, successfully steered them safely back to Ramsgate.

Hilton, by now with the 3rd Regiment RHA, won his first Military Cross when fighting in the 7th Armoured Division at El Alamein. He added a bar at the battle for Fort Capuzzo later in the North African campaign, then a second bar in the Falaise Gap after D-Day, the same

battle in which he so nearly lost his life. He was sent to staff college on leaving hospital, then to strike-team Greece, where he became an instructor at the Royal Hellenic Staff College. One of his students was Prince (later King) Paul of Greece.

From there he was appointed to command what was later to be known as the King's Troop RHA at their St John's Wood barracks. But fate once more intervened. While his regiment was regrouping in Derbyshire after Dunkirk, he had fallen in love with a young WVS worker, Winifred Smith, daughter of Ernest Smith, head of the locally-based James Smith (Scotland Nurseries) — the biggest nurseries in the country at that time, with Europe's most important estates among its customers. They were married in 1942 when he was on embarkation leave before El Alamein and she was serving as a WAAF in Northern Ireland.

In 1949, as Hilton was preparing to

take over the King's Troop, his father-in-law had a heart attack. To his own father's disappointment, Hilton resigned his commission and went back to help to run the nurseries in Derbyshire. No sooner, however, had he found his feet than the Army recalled him for the Korean War. But Hilton now went down with a serious hernia just as he was boarding the troopship and once again had to fight for his life.

He recovered — but was discharged from his Reserve obligations in Korea. Instead, he was given command of the West Nottinghamshire TA Regiment, a role he was able to fill while working as managing director of the nurseries. Insisting on learning the business from the bottom, he ran the company for 37 years, becoming a consultant after its sale in 1986.

At the same time he began to enter public life. He served as an Independent on Derbyshire County Council, 1967-77, was High Sheriff in 1970-71, became a Deputy Lieutenant in 1972, then Lord Lieutenant six years later — retiring only 12 months ago aged 75.

Of the many organisations with which he became involved, those closest to his heart were the ex-servicemen's societies. He was president of the Normandy Veterans, the 8th Army Veterans and the Dunkirk 1940 Veterans associations, as well as the Derbyshire brigade of the British Legion. He was prominent on television at last year's D-Day celebrations.

A distinction which gave him great pride was the honorary doctorate awarded by the new Derby University this year, reflecting the effort he had put into winning this status for the old Derby College. He worked tirelessly for Derbyshire, setting himself the target of securing more royal visits than any other county. In his last year as Lord Lieutenant he fulfilled no fewer than 1,700 engagements and would frequently stay up until 2am answering letters. The churches and public buildings throughout Derbyshire lowered their flags to half-mast when he died, in tribute to a remarkable 16 years.

Sir Peter Hilton, who had been suffering from cancer of the spine, is survived by his wife and one son. In 1969 they had suffered the loss of their younger son at the age of 22.

## ESTELLE BRODY

Estelle Brody, film actress, died in Malta on June 3 aged 94. She was born in New York on August 15, 1900.



ESTELLE BRODY secured her place in the top league of British silent film actresses after her fine performance in the title role of *Mademoiselle from Armentières* (1926). Despite her inexperience — it was her first starring role — she carried what proved to be one of the early successes of the British film industry. Petite, normally brunette and with huge brown eyes, Brody was kept extremely busy at the Elstree studios for the next four years.

That Brody never really established herself in the harsher climate of talking pictures in the 1930s had nothing to do with her vocal technique or lack of it. It was rather that, having resettled in Hollywood, she lost much of her British following and, having subsequently married well to an American stockbroker, Oscar Alexander, she preferred to take an early retirement. There was a later chapter to her career in her fifties, when she played supporting roles in several Hollywood films.

Estelle Brody was born in New York, where she was educated. Despite this, she was always billed in Britain as a French Canadian actress, born in Montreal, possibly as a way to circumvent the bias in the British film industry against infiltration from American stars. Both her parents died when she was a girl, and she was brought up by an aunt.

She always wanted to act and was fascinated by films, but her early training was as a musical comedy actress on the stage. She arrived in England, played in cabaret and was offered a part in a play, *The Blue Kitten*, at the Gaiety Theatre. This was not the break she had hoped for — it closed quickly — and she was forced to try her luck in music halls instead. She got as far as obtaining some dates for a new vaudeville act before her

plans were scuppered by the General Strike of 1926.

At this moment a director suggested she try her hand at films. The day after her screen test she was recalled to the studio for what she presumed would be the offer of some minor part. Instead, she was given the title role in Maurice Elvey's *Mademoiselle from Armentières* (1926). This was the British answer to what had been a huge success for King Vidor in America the previous year, a war film called *The Big Parade*.

Elvey then cast Brody as a Lancashire girl, Fanny Hawthorn, for his next film, *Hindle Wakes* (1927). Brody's performance was so realistic that on a visit to Manchester she was mobbed by local women as "one of us".

There followed *Mademoiselle Parley Voo* (1928), a sequel to *Mademoiselle from Armentières*, and *Kitty* (1929) which was narrowly beaten to the post as Britain's first talking picture by Hitchcock's *Blackmail*. The coming of sound, predictable as it had been, left many British studios unprepared, and dialogue sequences for Kitty had to be hastily added in New York.

Brody's defection to Hollywood soon afterwards was not welcomed by her British fans, nor did it prove to be a wise career move. Brody resisted being cast as a sex siren, but directors were stumped as to what else to offer her. Finally she chose marriage instead, and slipped quietly into the supporting role of a business wife.

It took twenty years before she was heard of again. In 1950 she was offered the part of an American war correspondent in *They Were Not Divided*, and she followed it with small parts in *Safari* (1956) with Victor Mature, *The Story of Esther Costello* (1957) with Joan Crawford and *Never Take Sweets From a Stranger* (1960).

Meanwhile, she had returned to England and was married for a second time to Robert Fenn, an agent for British film composers, among them Vaughan Williams, and for Ian Fleming. She and her second husband lived in Knightsbridge before, in the 1970s, moving to Malta where they remained, largely ignored except for visiting film buffs. Her husband predeceased her.

## TONY CLEGG

Tony Clegg, OBE, property dealer, died from cancer on June 1 aged 58. He was born on April 8, 1937.

AS ONE of the country's leading property dealers in the 1980s, Tony Clegg stepped into his company, Mountleigh, from a stock market capitalisation of £6 million in 1982 to one of £372 million six years later.

A forthright North Country man, he viewed properties simply as commodities to be traded and, long before mobile phones were in fashion, was using several of them at the same time to buy and sell at a frenetic pace. He would usually have a number of transactions in hand at any given moment.

Ronald Anthony Clegg was born at Littleborough, Lancashire, and educated at Bickerton House, Southport, leaving at 16. After a spell working in his parents' restaurant business he joined a Bradford textile company, Mountain Mills, in 1961 as a manager, becoming a director two years later.

Mountain Mills merged with Leigh Mills in 1966 and



six years later, when he became joint managing director, Clegg transformed the group from a textile manufacturer into a property investment company.

In 1976 the company changed its name to Mountleigh with Clegg as its chair-

man and chief executive. Among the ventures the company was involved in were the purchase of large shopping centres at Merry Hill in Dudley, Piccadilly Circus in London and Camberley in Surrey. Among its other acquisitions was Stuckley, a prop-

erty company which gave Clegg control of the Paternoster Square development near St Paul's Cathedral and the Stockley Park business centre near Heathrow. Mountleigh also acquired the Galerías chain of 29 Spanish department stores.

As his fortunes rose, Clegg displayed a talent for carrying off audacious deals and gained a reputation for his skill as a negotiator and for his rough business tactics. He lived in affluent style at Whidley Hall, near York, and was an enthusiastic supporter of Margaret Thatcher, to no great surprise given his business success during her period in office.

Clegg's one high-profile failure was his abortive attempt to acquire Sir Terence Conran's Habitat, Mothercare and British Home Stores retail group, Storehouse. By 1988, however, his health was failing and the property market was declining. After suffering a brain tumour and temporary blindness that year, he sold his 22 per cent stake in Mountleigh in 1989 for £70 million. Three years later the business went into receivership with debts of £200 million. Nelson Peltz, one of the American businessmen who had bought Clegg's shares, remarked memorably: "I saw the market was on its way down but I didn't see it was in free fall. The free fall started the day after I gave Clegg the cheque."

By this time Tony Clegg was concentrating his still considerable dynamic enthusiasm and energy on charitable activities. He was a trustee and deputy chairman of the Prince's Youth Business Trust and of the Cancer Relief Macmillan Fund, chairman of the Dales Countryside Museum Appeal, patron of the Leeds Riding for the Disabled scheme and a committee member of the Horse of the Year Show. He was also chairman of the United Leeds Teaching Hospitals NHS Trust.

Tony Clegg was appointed OBE for his services to healthcare in Leeds earlier this year. He is survived by his wife Dorothy, whom he married in 1963, and three daughters.

## COLIN RONAN

Colin Ronan, historian of science and astronomy, died on June 1 aged 74. He was born in London on June 4, 1920.

TOWARDS the end of an eclectic career as an historian of science and astronomy, Colin Ronan formulated a theory that a telescope was made in England in the 16th century, putting back by over half a century the date of the earliest telescope previously known which had been made in Holland. He also co-authored, with Joseph Needham, the abridgement (so far published in four volumes) of Needham's great work on *Science and Civilisation in China*.

Just after the First World War, Lieutenant-Colonel Amos Hudson Ronan, a large man from Co Durham with a talent for engineering and art, married his driver, Aileen Nathan, a diminutive woman from a family of Jewish merchants in New Zealand — her grandfather, Joseph Nathan, founded Glaxo. Colin was the only child of this happy marriage of opposites.

While still a schoolboy at Abingdon, Ronan presented a paper to the British Astronomical Association, of which he was later president, discussing why stars twinkle. After school and a brief period working for Joseph Nathan and Co (later Glaxo), he joined the Army and became a member of the scientific staff where he discovered a new technique for the blooming of lenses. This resulted in an improvement of the optical equipment used by all the Armed Forces.

Ronan reached the rank of major, and when the war was

over took a BSc in Astronomy at London. This led to a position in the secretariat of the Royal Society, and while working there he obtained an MSc in the History and Philosophy of Science at University College London. He also became a lay reader in the Anglican Church and considered being ordained. After the centenary of the Royal Society in 1960, however, he left to take up freelance writing and photography and, with his second wife, Ann, founded the

Cambridge for the first five years of its existence.

Ronan was an outstanding lecturer. He created lectures on *Science and Music*, and, together with Donald Francke, developed a wonderful weekend course called *New Ears for New Music* that they gave regularly in various places. He was invited to give the Christmas Lectures at the Royal Institution one year, and appeared many times with Patrick Moore on the TV programme *The Sky at Night*. Ronan's lectures to the Chaucer Heritage Trust are remembered with affection, and his talks on the telescope were a model of clarity.

In the world of astronomy Ronan served the British Astronomical Association, not only as president, but as editor of its *Journal* for 15 years and as director of the historical section for more than 20. He served on the council of the Royal Astronomical Society, and was available to help all who needed his advice. There is even an asteroid named after him.

In the theatre world, Bernard Miles consulted him on adapting Brecht's play *Galileo*, and they became friends. This led to Ronan's involvement in the Mermaid Theatre and with the foundation of the Molecule Club, which used to provide science shows for children and for schools around the country. Ronan was also a brilliant amateur conjurer, with appearances ranging from an outdoor festival on the Isle of Dogs to performances for grandchildren.

His second marriage was dissolved, and he leaves three sons from his first marriage.



Ronan Picture Library (of scientific subjects).

In a 35-year writing career Ronan published more than 40 titles popular books on astronomy and the universe, educational books on science for young people, as well as more specialised studies of Galileo for example, and the abridgement of the *magnum opus* on Chinese science with Needham. In addition to being involved with the written part of Needham's work he was also director of the Needham Research Institute in

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## THE TIMES

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## MISS JEAN HARLOW

Our New York Correspondent telegraphs that Miss Jean Harlow, the "platinum blonde" of the screen, died yesterday. She was taken ill only 10 days ago with internal inflammation, but insisted on working as long as she could as she did not want to delay the picture *Satanstoe*, in which was acting with Clark Gable. Three days ago she was stated to have virtually recovered, but yesterday she took a sudden turn for the worse and was removed from her Beverly Hills home to hospital. Her mother, Mrs. Jean Bello, and Mr. William Powell, the actor, were at her bedside. Born on March 3, 1911, at Kansas City, she belonged to a family of good position. She first showed her talent for acting at her exclusive school at Lake Forest, Illinois. She determined to try her luck in Hollywood, and Hal Roach gave her a contract to feature in comedies. But her grandfather and guardian strongly disapproved, and she reluctantly withdrew from the studios.

## ON THIS DAY

June 8, 1937

In her brief career — she was 26 when she died — Jean Harlow made a reputation for herself far beyond that suggested by the crude label of blonde bombshell.

At last, after many months, and with the aid of her mother, she obtained her grandfather's consent. Beginning over again, she was playing as an extra in a film starring Clara Bow when Howard Hughes selected her for leading lady in his air-war spectacle, *Hell's Angels*. She became known to film audiences for much more than her striking "platinum

blonde" colouring and other abundant physical gifts. She used an intensely vital and robust personality with imagination to portray a character of unflinching appeal to most playgoers — the girl of humble origin and proud of it, steeped in knowledge of the world and particularly of men, with an incredible command of vituperation and rapid, "wise-cracking" speech, and beneath it all a heart of pure gold. When Jean "sailed in" to trounce the man who had "done her wrong," or to apply a spur to the diffident husband for whom she had ambitions, the house sat back in delighted anticipation. She made a striking success in *China Seas*, and started her fans by becoming a brunette. Among her other principal films were *Dinner at Eight*, *Blonde Bombshell* and *Suey*. Miss Harlow's first husband was Paul Bern, the film director. They married in July, 1932, but two months later Bern committed suicide. A year later she was married to Harold Rosson, a Hollywood cameraman. This marriage ended in divorce in March, 1935.



## NEWS

## Forces keep ban on homosexuals

The Government is to keep its ban on homosexuals serving in the Armed Forces, rebuffing a judge who said that the policy was doomed because old prejudices were breaking down. Lord Justice Simon Brown gave his personal view after ruling in favour of the Ministry of Defence in a case brought in the High Court against the ministry by four former service personnel, three men and a woman, who were dismissed for being homosexual. Pages 1, 2

## Southend Pier damaged by huge fire

Southend Pier — the longest pleasure pier in the world — suffered its third devastating fire in 36 years when a blaze, starting in the bowling alley at the shore end, caused millions of pounds of damage. Smoke and flames could be seen seven miles from the Essex resort. Pages 1, 5

## Armani on trial

An Italian magistrate formally called for Giorgio Armani and 25 other glitterati from the Milanese fashion world to be sent for trial on charges of bribing tax inspectors. Page 1

## Prince's tax bill

The Prince of Wales is likely to face a tax bill of about £1 million on his Duchy of Cornwall income. Revenues rose by nearly 10 per cent last year to £11.4 million. Page 2

## Souness accused

Graeme Souness, the former Liverpool football manager, was accused of bullying and threatening his ex-wife. Page 3

## Hume stands firm

The Roman Catholic Church would not change its stance on cohabitation because many couples chose to live together, Cardinal Basil Hume said. Page 5

## Word to the World

Channel 4's youth programme *The Word*, which has become a byword for bad taste and juvenile pranks, received a formal warning from a broadcasting watchdog. Page 6

## Sleeper 'victory'

The battle to save the sleeper train from London to Fort William moved a step closer to victory when judges ruled that British Rail could not abolish the service without consultation. Page 8

## Gynaecologist struck off for lying

An eminent gynaecologist who lied about performing a pioneering operation and fabricated research work was ordered to be struck off the medical register. The claim of Malcolm Pearce, 45, a former consultant at St George's Hospital, Tooting, southwest London, was a grave fraud, the professional conduct committee of the GMC ruled. Page 1

## Price-fixing defended

The campaign to end price-fixing on books suffered a setback when MPs refused to recommend the abolition of the Net Book Agreement. Page 9

## Battlefields saved

Battlefields including Hastings, Bosworth and Marston Moor, were given protection from obtrusive development. Page 10

## Nuclear dilemma

President Chirac appears to have bowed to international pressure to postpone the resumption of French nuclear tests in the South Pacific. Advisers said he wanted to consult widely with experts for weeks before deciding. Page 14

## Hostages released

Bosnian Serbs released three United Nations officers they had been holding, and up to 50 more hostages were expected to be freed soon. Page 15

## Royal questions

Paul Keating, the Prime Minister of Australia, disclosed his plans for a republic by the year 2001, but raised almost as many questions as he answered. Page 16

## Mandela attacked

President Mandela was repeatedly heckled in parliament in Cape Town as he struggled to defend his role in the so-called "Shell House massacre" a month before South Africa's first all-race elections last year. Page 17



Ann Picking, a ward sister, with cut-outs of Virginia Bottomley during an NHS pay demonstration outside the Department of Health

## BUSINESS

**Banking:** The damage caused by falling bond and equity markets was revealed by Hambros, the City merchant bank, which has halved its dividend after profits plummeted by 58 per cent. Page 25

**Television:** A Granada Gold satellite television channel, showing reruns of *Coronation Street* and *Prime Suspect* could be on the nation's screens by 1997. Page 25

**Privatisation dispute:** The French state-owned electricity utility is courting a political row by attempting to buy into the British generating industry. Page 25

**Markets:** The FT-SE 100 index fell 9.2 to 3370.8. Sterling's index fell from 84.3 to 84.2 after a rise from \$1.5882 to \$1.5922 but a fall from DM2.2517 to DM2.2405. Page 28

**Rugby union:** England have preferred the experienced Jeremy Guscott to Philip de Glanville for the World Cup quarter-final against Australia. Dewi Morris plays at scrum half. Page 48

**Football:** Newcastle United signed Les Ferdinand from Queens Park Rangers for £6 million, two days after spending £4 million on the Wimbledon defender Warren Barton. Page 48

**Crickets:** England, having lost the first Test in five of their past six series, take on West Indies greatly concerned about the opening day at Headingley. Page 48

**Racing:** Sebastian, third favourite, is doubtful for the Vodafone Derby after suffering a sore back in training. Page 43

**Back on mean streets:** David Caruso, star of *NYPD Blue*, hits the big screen as a small-time hood in *Kiss of Death*. Also, a fine adaptation of John Guare's satire, *Six Degrees of Separation*. Page 35

**Shamrock steps:** Riverdance was founded to provide interval entertainment for the Eurovision Song Contest. Now the Irish company plays to packed houses. Page 36

**Spartan tragedy:** John Ford's *The Broken Heart* is not as famous as his *Tis Pity She's a Whore* but arguably a better play, says Benedict Nightingale. Page 37

**Wagner wars:** Gottfried Wagner, who denounced his great-grandfather as an anti-Semite, has staged *Lohengrin* as an indictment of racism. Page 37

**Backroom boffins:** Libby Purves visits the secret base at Orford Ness with three RAF men who were there 50 years ago. Page 19

**More to give:** If only apathy has prevented you from offering your organs for donation, why not do it now? Page 18

**Smooth sailing:** A glut of ships has led to a discount war and reductions of between 20 and 30 per cent on some cruises. Page 41

**Grantham woman:** Robert Skidelsky reviews Margaret Thatcher's *The Path to Power*. Page 39

**Garlick men:** Sir Kingsley Amis seems the supreme chubman of English letters but Derwent May finds another Amis. Page 38

**Feminine arts:** John Bayley on Anita Brookner's latest novel; Elaine Feinstein on Jenny Diski's stories; J.W.M. Thompson on Barbara Hepworth. Pages 38, 39

**Senator Bob Dole** unloosed a fusillade at Hollywood's "mainstreaming of deviancy" but if you take his suggestion for "good movies" we wind up with a culture that no one above the mental age of 11 would find worth watching. — *The Washington Times*

The Bosnian Serbs, having declared that the UN is their enemy, must be treated as the enemy they claim to be. — *Los Angeles Times*

**Preview:** Women are behaving strangely in a Carla Lane comedy: *Searching* (ITV, 9.30pm) **Review:** Matthew Bood watches Sir John Harvey-Jones demolish the English education system. Page 47

## Stale repast

Ever since Tony Blair became leader of the Labour Party, the country has been promised fresh new social democratic policies. There are far too few in the batch of "new" policies that goes before the national policy forum. Page 21

## A national shame

The 50th anniversary of the "Greater East Asian War" was an opportunity for Japan to make symbolic, and therefore real, peace. It has been sadly mishandled. Page 21

## Pedal power

Learning to ride a bicycle is one of the rites of passage of childhood, never to be forgotten; learning how responsible cycling can improve the quality of life is something no nation should forget. Page 21

## WILLIAM REES-MOGG

There is undeniably something badly wrong with the Conservative Party in Parliament. As with the British merchant banks, experienced and normally reliable men have come to feel that the position is impossible. Page 20

## JANET DALEY

Just as the most progressive intelligentsia of all political persuasions are coming to the conclusion that the personal liberation ethic of the past 30 years has been a greased slide to nihilism, the dear old liberal Anglicans rush to embrace it. Page 20

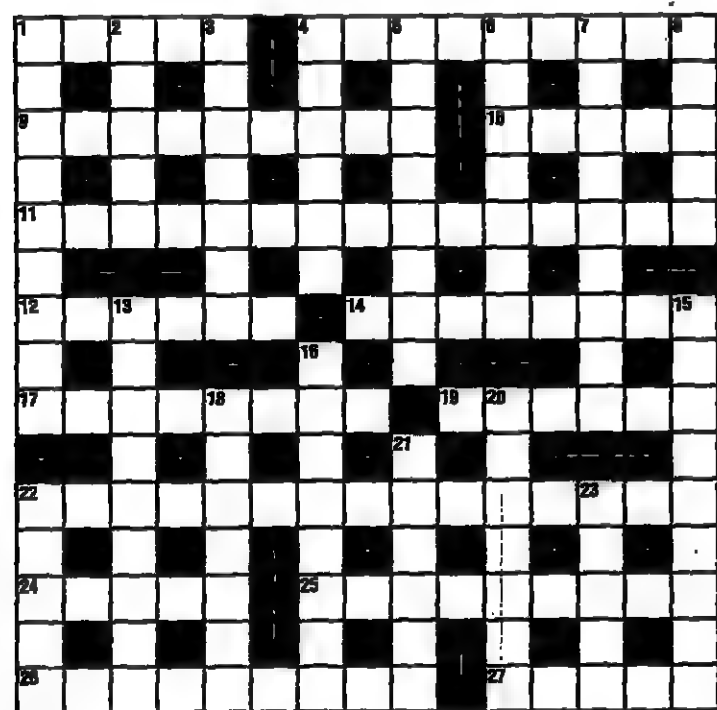
## PETER RIDDELL

Mr Blair still has a long way to go in re-educating his party. His victory over the rewriting of clause four was crucial as a symbol, but it was only a start. Page 12

**Colonel Sir Peter Hillon**, war hero: Tony Clegg, property trader; Estelle Brody, actress; Colin Roman, historian of science and astronomy. Page 23

**Scot Inquiry:** "unjust" jailing of a shopkeeper; lack of candidates for the See of Winchester. Page 21

## THE TIMES CROSSWORD NO 19,876



- ACROSS**
- Sunday: absorbed by A & M (but after church one may well yawn) (5)
  - Footwear accessories: an advantage to have spikes (9)
  - Left-wing worker about to ask for money, being out of a job (9)
  - Latin American party line is against the state (5)
  - Suggests hard work (with which Nightingale was well acquainted) (6,2,3,4)
  - A writer holding a degree resident in the jungle? (6)
  - List of courses finally changed to show this course (8)
  - Two girls, responsibility at first of a joint guardian (8)
  - Be a slow mover — walk like a duck, half twisted round (6)
  - A remote place: North Dakota, perhaps (3,4,2,6)
- DOWN**
- One from a happy family, perhaps, is a quick-witted cheat (9)
  - Spoil beer, dropping old pennies in it (5)
  - An obsession about a couple of lines in the paper (7)
  - Ostentatiously display a coat of arms (6)
  - Remains in place longer than unsuitable corsetry (8)
  - Unconventional call to imbibe drink of milk (7)
  - Chained with head of conservatory about wonderful patch of flowers (9)
  - Character impression (5)
  - Translated rune with notes without telling others (5,4)
  - Poor people, we hear, raised family (9)
  - Boxed set of cards (antique) (8)
  - His love could be seen as her love (7)
  - Porter and doctor in charge of old distilling apparatus (7)
  - A very loud indication of trouble (6)
  - Bone up excellent piece (5)
  - Frustrated fellow removed drunk (5)

## Solution to Puzzle No 19,875

RECIPE SICILIAN  
I O R D D O N U  
S A N D E R O L E A S C O T  
A I T W N H U M  
L E C T A R I N T R O U B L E  
D A N I T U G  
B I L L E D N I F T I E S T  
Y E T I N S  
A N A R C H I C T H E M E  
F E E E A P A  
L A G G A R D T O R Y I S M  
A L I U T I E S L  
S T I N T M O O N S T O N E  
M E G C P N T I D S  
A R E T H U S A A S S E S S

Times Two Crossword, page 48

## TIMES WEATHER

For the latest region by region forecast, 24 hours a day, dial 0391 500 followed by the appropriate code:

Greater London	701	North Wales	701
East Surrey	702	North Wales	701
Down & Cornwall	703	North Wales	701
West Gloucester	704	North Wales	701
West Gloucester	705	North Wales	701
West Gloucester	706	North Wales	701
West Gloucester	707	North Wales	701
West Gloucester	708	North Wales	701
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West Gloucester	728	North Wales	701
West Gloucester	729	North Wales	701
West Gloucester	730	North Wales	701

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London & SE England	731	London & SE England	731
London & SE England	732	London & SE England	731
London & SE England	733	London & SE England	731
London & SE England	734	London & SE England	731
London & SE England	735	London & SE England	731
London & SE England	736	London & SE England	731
London & SE England	737	London & SE England	731
London & SE England	738	London & SE England	731
London & SE England	739	London & SE England	731
London & SE England	740	London & SE England	731
London & SE England	741	London & SE England	731
London & SE England	742	London & SE England	731
London & SE England	743	London & SE England	731
London & SE England	744	London & SE England	731
London & SE England	745	London & SE England	731
London & SE England	746	London & SE England	731
London & SE England	747	London & SE England	731
London & SE England	748	London & SE England	731
London & SE England	749	London & SE England	731
London & SE England	750	London & SE England	731

## HIGHEST &amp; LOWEST

Today: Highest day temp: Poole, Dorset, 20C. Lowest day temp: Cape Wrath, Highland, 11C (50F). Highest rainfall: Epsom, Surrey, 0.20in. Highest sunshine: Newquay, Cornwall, 13.8h.

**General:** eastern counties of England and Scotland will have a cold, windy and showery day. The showers may merge to give some longer spells of rain, especially near the North Sea coast. Southwest England should fair better with some brighter spells and only a scattering of showers. Northwest Scotland will be rather cloudy with occasional showers. Southwest Scotland, Northern Ireland, Wales and western England should have a mainly dry day with some sun.

**London, SE England, Cent S England, E Midlands, W Midlands, N Wales, NW England, Isle of Man, Central N, N Ireland:** some bright or sunny spells. Scattered showers. Wind northwest moderate or fresh. Rather cool. Max 14-18C (57-61F).

**E Anglia, E England, NE England, Borders, Edinburgh, Dundee, Aberdeen:** cloudy with

showers. Longer spells of rain also possible. Wind northwest fresh or strong. Cold. Max 12-14C (54-57F).

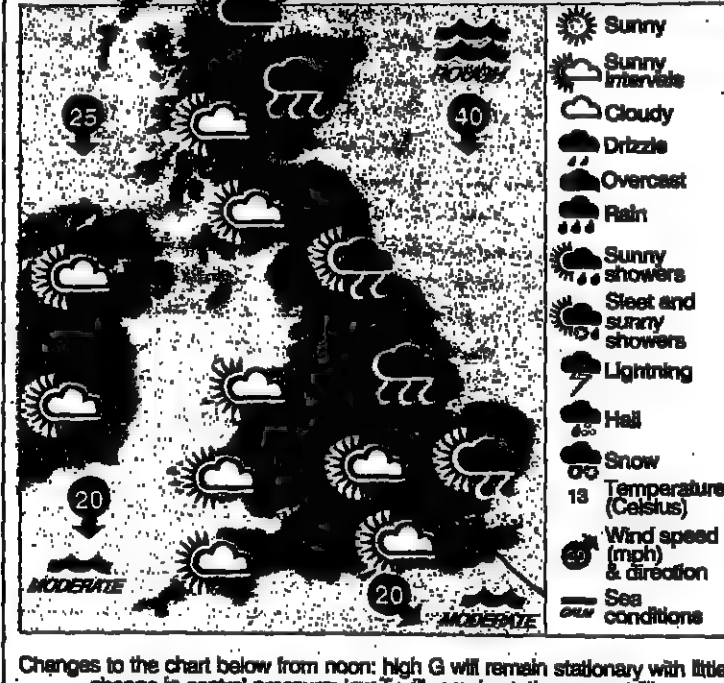
**Channel Isles, SW England, S Wales, Lake District, SW Scotland, Glasgow, Argyll:** dry with sunny spells. Wind northwest moderate or fresh. Rather cool. Max 14-17C (57-63F).

**Central Highlands, Moray Firth, NE Scotland, NW Scotland, Orkney, Shetland:** cloudy with some showers. Wind north or northwest fresh or strong. Cold. Max 11-13C (52-55F).

**Outcrops remaining rather cool and unsettled with showers for most parts.**

**Pollen forecast:** Scotland L; Northern Ireland L; Midlands L; East Anglia L; Wales M; South East L; South West M; London L.

For night, low & wind speeds.



Changes to the chart below from noon: High G will remain stationary with little change in central pressure; low T will remain stationary and fill.



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TODAY	AM	HT	PM	HT	TODAY	AM	HT	PM	HT
London	8:27	8:28	8:16	8:16	London	8:27	8:28	8:16	8:16
Edinburgh	8:27	8:28	8:16	8:16	Edinburgh	8:27	8:28	8:16	8:16
Belfast	8:27	8:28	8:16	8:16	Belfast	8:27	8:28	8:16	8:16
Cardiff	8:27	8:28	8:16	8:16	Cardiff	8:27	8:28	8:16	8:16
Manchester	8:27	8:28	8:16	8:16	Manchester	8:27	8:28	8:16	8:16
Sheffield	8:27	8:28	8:16	8:16	Sheffield	8:27	8:28	8:16	8:16
Nottingham	8:27	8:28	8:16	8:16	Nottingham	8:27	8:28	8:16	8:16
Leeds	8:27	8:28	8:16	8:16	Leeds	8:27	8:28	8:16	8:16
Birmingham	8:27	8:28	8:16	8:16	Birmingham	8:27	8:28	8:16	8:16
Coventry	8:27	8:28	8:16	8:16	Coventry	8:27	8:28	8:16	8:16
Southampton	8:27	8:28	8:16	8:16	Southampton	8:27	8:28	8:16	8:16
Exeter	8:27	8:28	8:16	8:16	Exeter	8:27	8:28	8:16	8:16
Cardiff	8:27	8:28	8:16	8:16	Cardiff	8:27	8:28	8:16	8:16
London	8:27	8:28	8:16	8:16	London	8:27	8:28	8:16	8:16

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Full moon June 13.

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JANET BUSH 29

Inflation target:  
another  
bad idea

TRAVEL 40, 41

Motorists are  
shuffling over  
to Le Shuttle

SPORT 42-48

Check your team's  
performance in  
The Times gameGEOFF BROWN  
AT THE  
CINEMA  
Arts 35-37

# THE TIMES

BUSINESS EDITOR Lindsay Cook

THURSDAY JUNE 8 1995

## Payout halved as Hambros tumbles 58%

By PATRICIA TEHAN, BANKING CORRESPONDENT

HAMBROS, the City merchant bank, yesterday revealed the devastating effect of falling bond and equity markets throughout the world last year when it announced a 58 per cent slump in profits, to £37.1 million, and a halved dividend in the year to March 31.

The bank also suffered in the aftermath of the February collapse of Barings, which saw a flight of deposits from Britain's smaller merchant banks to the bigger players.

Hambros suffered a 16 per cent fall in customer accounts, to £2 billion. However, inter-bank deposits helped make up part of the fall, with deposits by other banks increasing

from £1.8 billion to £1.97 billion. The final dividend, which is to be paid on August 21, has been cut, from 10.5p to 3p, causing the shares to fall 28p to 183p yesterday. Many analysts had been expecting the bank to maintain the payment, while some were predicting a much smaller cut.

Sir Adam Ridley, a director of the bank, said that the board had decided to make such a substantial cut because "current trading conditions are not picking up".

Responding to speculation that, after the proposed takeover of SG Warburg by Swiss Bank Corporation, Hambros could be the next bid target, Sir Adam said: "We want to be

and are happy to be independent." He said there were other ways to seek access to global markets, such as joint ventures and collaborations.

Lord Hambro, the chairman, said the performance was disappointing, adding: "Trading since April 1 has not yet reversed the trend of the second half of last year." He said that the year had been "exceptionally difficult, particularly in the treasury and bond markets".

The poor profits meant that bonus payments have been affected. Sir Adam said that the pool for bonus payments is between 60 and 70 per cent of last year's £32 million as a result of the fall in profits. However, he added that Hambros does not claim to be a big-hitting bonus payer like some rivals.

Banking profits were worst hit, falling from £72.9 million to £35 million after a slide in dealing profits. Sir Adam said that the bank was seeking ways to cut costs and improve profitability. In Hambros' clearing operation, withdrawn from equity settlement business last month and Sir Adam said that the firm has begun a review of its lending to small corporates, with the likelihood that it will run down the loan book.

He said that while some players, notably SG Warburg, were scaling back bond activities, Hambros was building them up. He said that the withdrawal of competitors after an exceptionally difficult year for bonds "leaves us more room to get more business and increase margins".

Hambros Countrywide, the estate agency, was hit by a poor housing market and the cost of merging with Nationwide Building Society's estate agency. Estate agency losses deepened, from £2 million to £6.4 million, forcing Hambros' return from a £4 million profit in the previous year to a £1.9 million loss.

Hambros' insurance services arm reported a fall in profits, from £8.3 million to £8 million, as demand for loss adjusting services remains at a low point in the insurance cycle, Hambros said.

## Nationwide will not join a bid battle for N&P

By OUR BANKING CORRESPONDENT

THE Nationwide Building Society will not join a bid battle with Abbey National for National & Provincial Building Society, its chief executive said yesterday.

N&P has given five potential bidders or merger partners until next Wednesday to submit revised proposals after supplying them with financial information about this year's trading performance at the end of last month.

Lloyds Bank is one of the five. Its request for additional information about N&P has been interpreted as a spoiler tactic, designed to force Abbey to raise its estimated £1.1 billion bid for the society.

The bank, two months away from finalising its £1.8 billion acquisition of Cheltenham & Gloucester, takes the view that since information is being provided by N&P about its business, it should take a look at it.

Brian Davis, chief executive of Nationwide, said: "If there is a public auction we

are not taking part in that."

A leak of Abbey's approach to N&P forced the bank to issue a stock market announcement about its intentions in April. Since then, N&P has denied that it has started an auction for its business, but has invited interested parties to respond with formal proposals.

N&P has also made it clear that it would rather have a merger with another society and a later conversion to bank status than a takeover by Abbey. It has also made approaches to Alliance & Leicester.

Pre-tax profits at Nationwide Building Society rose 32.2 per cent, from £261.2 million in 1993-94 to £345.4 million. The society's cost-income ratio, a key measure of its performance, was 48.10 per cent, down from 49.05 per cent, indicating improved efficiency at the 694-branch society. Loan provisions fell 45.4 per cent from £282.3 million to £154.2 million but repossession rose 10.6 per cent to 4,370.

## Upper classes earn 50% more than average wage

By PHILIP BASSETT, INDUSTRIAL EDITOR

BRITAIN'S upper classes earn 50 per cent more than the national average wage — and twice as much as those at the bottom of the social scale, an analysis by *The Times* of new government figures shows.

The Government yesterday published for the first time a breakdown of average earnings in Britain by social class, which showed that only people in the top two social classes earn more than the average wage in the UK. The figures are from the quarterly

Labour Force Survey of a sample of 60,000 households. Using the Registrar-General's social classification, the figures showed that the professions — Class A, as advisers put it, or about 7 per cent of total employees — earn much more than the average.

Analysis shows that top-class male earnings of an average of £462 a week are more than a third average earnings for men of £338, while for top women, the gap is even greater. Top female

earnings of £404 are almost two-thirds the average of £246.

John Clark, the chief executive of BET, the business services group, last year received a pay package of £1.1 million, swelled by a £226,373 pensions payment for previously unfunded commitments. The company's annual report and accounts show that he also received a £280,453 performance-related bonus and a £113,869 pension contribution.

firm plans to be drawn up. But a service mainly showing repeats and a national Granada TV station were among the possibilities, he said.

Granada has a 10.8 per cent stake in BSkyB, the quoted satellite broadcaster. "We have a strong relationship with BSkyB and already supply a vast amount of their programming material," said Mr Robinson, who is also chairman of the satellite company.

Under legislation proposed by Stephen Dorrell, National Heritage Secretary, television groups can move into newspaper ownership, cable and satellite TV but own no more than two ITV licences.

Granada was reporting healthy figures that showed strong growth. Pre-tax profits rose from £103 million to £154.5

## A new aria for Saatchi



Maurice Saatchi, chairman of M and C Saatchi Agency, in Sydney yesterday. He is promoting his new advertising agency, set up after he departed from the agency he set up in the 1970s

## French state utility eyes British Grid

By MARTIN WALLER

THE French state-owned electricity utility is courting a political row by attempting to buy into the British generating industry, in contravention to government policy that opposes the sale of privatised businesses to foreign states.

Electricité de France (EDF) is understood to be lining up a bid for the pumped storage generation business of the National Grid, which is being bived off for a trade auction before the Grid's flotation this autumn and could be worth upwards of £300 million.

EDF is among a list of as many as 20 potential owners, which include ScottishPower and at least three regional electricity companies in England and Wales, Eastern, Southern and Midlands, some of whom may decide to bid together as a consortium.

Another option, a management buyout, is being blocked by the Grid's owners, the 12 regional companies. A purchase by EDF would be dou-

bly embarrassing for the Government, but it appears there is little ministers can do to prevent it. The "Lilly doctrine," dating from the time when Peter Lilly was Trade Secretary, says privatised assets should not be effectively renationalised by being sold to businesses that are owned by foreign governments.

The Grid's pumped storage generation business is a key part of the UK generation industry, providing back-up when other power stations are out of operation. Its ownership by a foreign power would, therefore, be highly controversial.

The business was to have been separated from the Grid by the end of this month. But it seems the 12 regional companies have now decided to delay until after Stephen Littlechild, the industry regulator, produces his review of distribution charges next month. He has ruled out a sale to an existing generator.

## Interest rates left on hold

By JANET BUSH  
ECONOMICS CORRESPONDENT

KENNETH CLARKE, the Chancellor, and Eddie George, Governor of the Bank of England, met yesterday and are believed to have decided to leave interest rates unchanged. Rate decisions are made by the Chancellor and the timing left to the Bank, which has expressed a preference for changing rates as soon as possible after a monetary meeting to avoid market uncertainty. Although yesterday's meeting started later than usual, the Bank still had two clear opportunities in its normal money market operations to announce a change in rates and did not.

The markets were quiet yesterday and there was no technical or tactical reason to put a base rate change off until today or tomorrow. There was also little chance that the markets would be upset by a no-change decision because the City was virtually unanimous that rates would be left on hold.

The meeting coincided with more evidence that the economy is turning downwards and that the housing market is notably weaker. The Central Statistical Office reported that its longer leading index continued to fall in May, extending a steady slide over the past year. The CSO said that this may indicate a possible turning point or slowdown around.

The Department of the Environment reported that housing starts in the three months to April were down 7 per cent compared with the previous three months and 14 per cent lower than last year.

In contrast, there was a rebound in car registrations in May after weak figures for March and April. Taking the last three months compared with the previous three, registrations were 1.2 per cent lower.

Economic View, page 29

## BUSINESS TODAY

### STOCK MARKET MOVES

FT-SE 100	3370.8	(-9.2)
Yield	4.10%	
FT-SE All share	1854.88	(-3.50)
Nikkei	15679.82	(+18.63)
Dow Jones	4486.18	(-19.02)
S&P Composite	532.80	(-1.75)

### US RATE

Federal Funds	5%	(57%)
Long Bond	114%	(11%)
Yield	6.45%	(8.50%)

### LONDON MONEY

3-month interbank	6%	(57%)
Libor long call	100%	(108%)

### STERLING

New York	1.8845	(1.8825)
London	1.8821	(1.8805)
Frankfurt	2.2287	(2.2214)
Paris	7.8850	(7.8850)
Spain	1.5480	(1.5525)
Yen	84.21	(84.68)
E index	84.3	(84.3)

### US DOLLAR

London	1.4000	(1.4105)
Frankfurt	4.9455	(4.9480)
Paris	1.1575	(1.1630)
Yen	84.21	(84.68)
E index	84.3	(84.3)

### TOKYO CLOSING YEN

London close	838.15	(838.15)
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### NORTH SEA OIL

Brent 15-day (Aug)	817.70	(817.80)
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### WORLD

London close	838.15	(838.15)
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\* denotes midday trading price

### Hovering

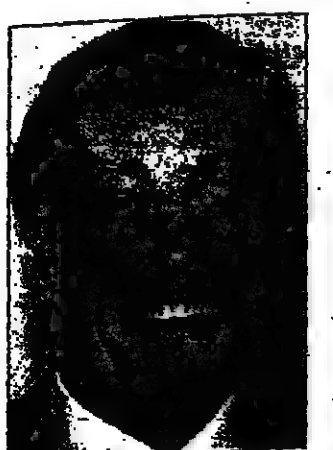
Tim Eggar, the Industry Minister, has intervened in the three-way battle for a £2.6 billion contract to supply Britain with 91 attack helicopters and accompanying munitions by demanding details of the industrial benefits that each would bring. Page 26

### Papering over

Arjo Wiggins Appleton, the paper group, has secured its long-awaited move into the US coated paper market with a \$60 million acquisition, which will also soak up \$270 million of investment. Times 28, Report 30

## Granada poised for repeat performance

By MARTIN WALLER



Robinson: golden oldies

A GRANADA Gold satellite television channel, showing reruns of *Coronation Street*, *Prime Suspect* and *Cracker*, among others from the massive back catalogue of both Granada and LWT, the London weekend broadcaster, could be on the nation's screens by 1997.

The proposal is just one of the options being considered by Granada Group, owner of both stations as well as contract catering and TV rental businesses, since the Government's proposed slacking of cross-media ownership rules was announced last month.

Gerry Robinson, Granada's chief executive, said that the Heritage Department's decision was too recent to allow

firm plans to be drawn up. But a service mainly showing repeats and a national Granada TV station were among the possibilities, he said.

Granada has a 10.8 per cent stake in BSkyB, the quoted satellite broadcaster. "We have a strong relationship with BSkyB and already supply a vast amount of their programming material," said Mr Robinson, who is also chairman of the satellite company.

Under legislation proposed by Stephen Dorrell, National Heritage Secretary, television groups can move into newspaper ownership, cable and satellite TV but own no more than two ITV licences.

Granada was reporting healthy figures that showed strong growth. Pre-tax profits rose from £103 million to £154.5

million, including a £35.3 million contribution from LWT, up from £4.9 million for the brief period for which the company was owned last time.

Profits from Granada and LWT, on a like-for-like basis, were up 22 per cent in both cases, while profits before interest and tax from the television division were £71.9 million (£34.8 million). Profits at Granada's rental and computer services businesses grew 3 per cent to £58.6 million, while leisure and services were up 26 per cent to £42.6 million.

Granada is paying an interim dividend of 3.85p (3.33p) out of fully diluted earnings of 16.9p share, up 26 per cent. The shares rose 2p to 604p.

Times, page 28

## WHY WAIT A MONTH TO FIND A NEW SENIOR SECRETARY WHEN YOU COULD MAKE A DECISION IN TWO WEEKS?

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# Bidders told to spell out helicopter deal benefits

By ROSS TYEMAN, INDUSTRIAL CORRESPONDENT

TIM EGGAR, the Industry Minister, has intervened in the three-way battle for a £2.6 billion contract to supply the Army with 91 attack helicopters and munitions by demanding details of the industrial benefits each will bring to Britain.

In letters to the main contenders, British Aerospace, GEC and Westland, he has requested information about the precise relationship with suppliers, the level of technology transfer, and the quality of work available within Britain.

The move comes amid growing signs that in spite of the Apache, offered by Westland, industrial issues may dominate the choice between three helicopters that all meet the Ministry of Defence specification.

Since each contender is offering a helicopter designed overseas, to be shipped to Britain and assembled in kit form, the nature of British industrial participation has assumed particular importance.

Mr Eggar said each of the bidders had been asked to give the Department of Trade and Industry details of the long-term benefits to British industry from their proposals. "I think it is the quality of the customer/supplier relationship that is important."

The contenders have published long lists of suppliers that would participate if they won. But overcapacity arising from low civil orders and military cutbacks in the US is adding to pressure for rationalisation among the Western world's seven helicopter builders.

An emphasis on high levels of industrial participation from the DTI, even at this late stage, could help the British contenders use the contract to win technology and participation concessions from their foreign partners.

Each bidder claims that the cost of a British order will be offset by the installation of British-built components on other aircraft manufactured by its overseas partner.

British Aerospace, which is offering the Franco-German Tiger from Eurocopter, will become a 20 per cent partner in the Tiger programme if the machine is chosen.

GEC is offering an American helicopter, the Bell Cobra, in a new Venom version, with a new cockpit designed and built in Britain by GEC. Lord Weinstock, GEC's managing director, says the US Marine Corps wants to upgrade its 220 Cobras with the GEC cockpit and predict upgrade opportunities worldwide on the large fleet already in service.

The Apache, which is being offered by Westland, Britain's only established helicopter builder, is designed by McDonnell Douglas of America. In addition to taking British components for American aircraft, McDonnell has agreed to market Westland's EH101 utility helicopter to civil customers in the US.

It has also emerged that the DTI has called in the heads of Britain's military vehicle makers to discuss their competitiveness.



Sitting comfortably: John Pierce, the chief executive of Airsprung Furniture, who yesterday reported a 15 per cent rise in pre-tax profits to £6.3 million, including a £902,000 contribution from recent acquisitions. The final rises 19 per cent to 3.7p.

## Pension fund managers seek company vote changes

By MORAG PRESTON

PENSION fund managers yesterday called for greater transparency in the voting procedures of publicly quoted companies and improved communication between boards of trustees, institutional and individual investors, and the companies whose shares they hold.

Speaking at the launch of the National Association of Pension Funds' 20th occupational pensions annual report, Ann Robinson, NAPF director-general, called for more research into how voting was carried out and said individual scheme members should be told more about their scheme's investment policy.

Dr Robinson said: "Annual meetings and noise are not the only way that responsible investors are dealing with their companies. AGMs are not the only part of the relationship between an investor and the board."

The encouraged pension funds, as institutional investors, to exercise proxy votes rather than not voting at all. But she rejected calls for this to be made compulsory and gave warning of the dangers of over-regulation if the Pensions Bill becomes too complex. Over-regulation could dissuade employers from offering pensions in future, the NAPF believes.

In the 20 years since the first NAPF survey was published, the pension fund assets of its members have grown tenfold to £300 billion. But Tom Rose, the NAPF chairman, called for a further extension of occupational pension provision. He said: "The coverage of occupational pension schemes has remained at about half of all employees for many years. This needs to be extended as the role of the state in pension provision declines."

It is vital that the Government helps to make pension schemes less complex. If much of the legislation surrounding occupational pension schemes could be simplified, then more employers would be willing to set up such schemes."

Pennington, page 27

## Proposals to boost housing market

By ANNE ASHWORTH

IN AN attempt to breathe new life into the moribund housing market, the Council for Mortgage Lenders (CML) will publish a series of recommendations next week, urging the Government to take action to help homeowners.

The document will be the latest attempt by the body, which represents the £350 billion mortgage industry, to urge the Conservatives to reaffirm their commitment to home ownership, and to recognise the necessity of a state safety net for borrowers.

The document's proposals will include the introduction of a single safety net for tenants and home buyers, replacing the current system of income support for those who are buying their homes and are made unemployed, and housing benefit which is given to those in rented property.

The CML will recommend that housing improvement loans should qualify for tax relief, a concession abolished in 1988.

In past weeks, the CML has been at loggerheads with the Secretary of State for Social Security, Peter Lilley, over the proposals to reduce mortgage income support. Borrowers will be encouraged to take out mortgage protection policies as a substitute for state help.

Yesterday, the National Association of Citizens Advice Bureaux (NACAB) joined the CML in condemnation of these plans.

Ann Abraham, chief executive of NACAB, said: "However much policies are improved, the private insurance industry, which is at root a commercial concern, will never be able to provide affordable and comprehensive cover of the kind needed to forestall an escalation in repossessions if these changes go ahead."

However, Tony Baker, deputy director-general of the Association of British Insurers (ABI) said the insurers would quickly adapt to the new climate and modify products.

Further criticism came yesterday from Brian Davis, chief executive of the Nationwide Building Society. He said: "The reduction of income support can only further antagonise existing and potential home owners."

## Greencore confident of further progress

GREENCORE, the Irish sugar and agricultural group, raised pre-tax profits by 13 per cent to Ir£22 million in the half year to end March on sales up 8 per cent to Ir£211 million. The interim dividend rose 11 per cent to Ir£4.1p out of earnings per share up 11 per cent to Ir£2.3p. Interest charges fell 41 per cent to Ir£1.7 million. On current trading, Greencore says that, in spite of generally demanding markets and the specific challenges raised in certain of the group's businesses by the relative strength of the Irish pound against sterling, it is "confident that further satisfactory progress will be achieved".

Final sugar production for 1994-95 was 6 per cent over the group's European quota but the excess sugar was used to rebuild "carry-over" stocks which had been depleted by the previous year's abnormally poor sugar beet harvest. The group expects the present European sugar regime to persist until the year 2001. Sugar operating profits slipped 3 per cent to Ir£11.6 million on sales down 1 per cent to Ir£58.9 million.

## Rank sells hotel

THE Rank Organisation is selling the Royal Garden Hotel in Kensington, west London, to Singapore's Goodwood Park Hotel company for £65 million. The sale will complete Rank's divestment of its London and Provincial hotel chain. The Royal Garden has 398 rooms and at £163,000 per room it is one of the most expensive London hotel deals done since the recession. The hotel has been closed since March last year and has undergone a £21 million refurbishment. The price is expected to be completed by the end of this year, and the price is expected to give Rank an £11 million profit to its book value.

## Lucas outsourcing deal

LUCAS INDUSTRIES has signed an information technology outsourcing contract with Computer Sciences Corporation, of California, worth £500 million over the next 10 years. The deal comes after the collapse in May of negotiations over an outsourcing deal with CSC's rival, EDS, the computer services group founded by Ross Perot and owned by General Motors. Lucas will transfer Lucas Engineering & Systems and Lucas Management Systems to CSC. Up to 1,200 staff are involved and assets with a book value of £25 million. The IT operations being transferred have revenues of £50 million.

## Leigh takes a knock

FALLING volumes and prices hit the liquid treatment plants of Leigh Interests, the waste management group, so hard that the company sustained a 8 per cent fall in pre-tax profits at £9.1 million. Revenues from treated wastes make up a third of the group's turnover, which advanced 4 per cent to £117 million. The final dividend was set at 5.57p, payable on October 2, making a total for the year of 7.63p, the same level as last year. The company said that increased capacity in liquid waste treatment was one of the main reasons for the tougher market conditions.

## Unilever acquisition

UNILEVER, the global food and household products group, is buying a bakery products business from Archer Daniels Midland. The business operates in Britain, Germany and Portugal, employs about 410 staff and last year had total sales of £40 million. The largest part of the business is British Arkady, which supplies frozen dough and other bakery ingredients, such as fats and fillings, to catering customers. The business fits with Unilever's other non-retail food businesses and will become part of Van den Bergh Professional Foods. Unilever did not reveal the price of the purchase.

### TOURIST RATES

	Bank Buys	Bank Sells
Australia \$	2.51	2.14
Austria Sch	15.50	15.30
Belgium F	46.13	44.55
Canada \$	2.258	2.139
Cyprus Cyp	0.746	0.694
Denmark Kr	9.57	8.57
Finland Mk	7.44	6.79
France F	6.58	7.64
Germany Dm	2.40	2.18
Greece Dr	375.00	380.00
Hong Kong \$	12.55	11.55
India Rs	1.09	0.92
Israel	6.5731	4.6251
Italy Lira	2055.00	2050.00
Japan Yen	149.00	153.00
Malta	0.599	0.544
Netherlands Gld	2.069	2.036
Norway Kr	10.58	9.78
Portugal Esc	947.50	928.50
S Africa Rd	rel.	3.42
Spain Ptas	200.50	197.50
Sweden Kr	12.58	11.29
Switzerland Fr	1.96	1.90
Turkey Lira	rel.	88940.0
USA \$	1.266	1.258

Notes for small denomination bank notes only as supplied by Barclays Bank plc. Discount rates apply to travellers' cheques. Rates as at close of trading yesterday.



Which company attracts fewer customer complaints than any similar one in England and Wales?

## Auditors face predatory pricing inquiry

By ROBERT BRUCE

THE English Institute of Chartered Accountants has bowed to public pressure and has set up a working party to look into predatory pricing by audit firms.

Concern about the practice, known as low-balling, comes hard on the heels of the public row over the audit of the Royal Automobile Club (RAC) when the

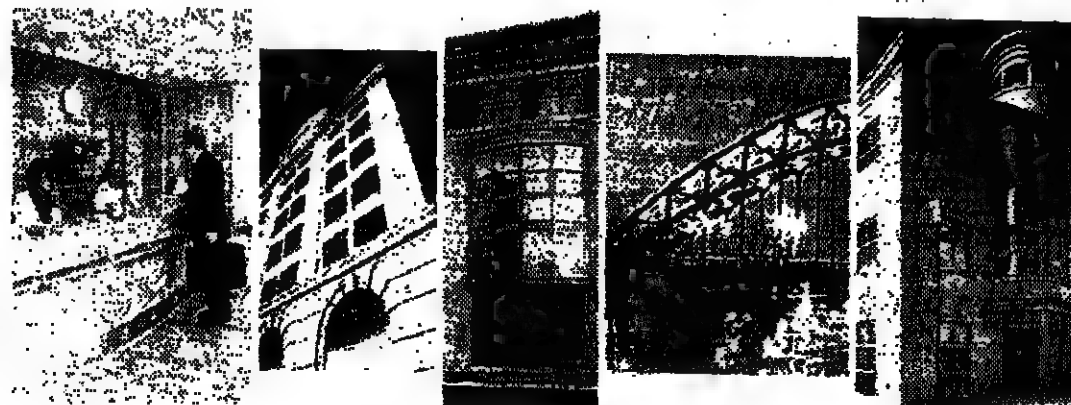
incumbent auditor, BDO Stoy Hayward, lost out in a tendering process to Price Waterhouse, which had submitted a much lower fee. Stoy took the issue to the RAC's AGM but lost the vote.

Adrian Martin, Stoy's managing partner, has welcomed the English ICA's decision to set up the working party so that the firm "would be keen to present evidence". The party, to be headed by

Elizabeth Llewellyn-Smith, former deputy director of the Office of Fair Trading, will be asked to decide whether predatory pricing "unduly affects the decisions of those purchasing those services" and to seek any evidence that the practice has led to a reduction in audit quality. It is due to report back in September.

Accountancy, page 34

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For the full picture, see Company Results on Friday

Henderson pension loss hits profits



□ Pension funds face new poser □ Vancouver challenges London □ Waiting on Sir Richard

## Don't block the vote

□ LIFE is full of surprises. As head of the Institute of Directors policy unit, Ann Robinson was a source of union power. After moving to the National Association of Pension Funds, she cannot have expected to open her innings by having to defend the block vote.

Briefing papers would have told her that the issue was different: whether law was needed to oblige institutional investors to take their governance duties seriously and to take an active role by exercising those votes. Notoriously, most did not vote when British Aerospace sold Rover to BMW, a deal as vital to the company as it was to British industry.

The pro-voting campaign seemed uncontroversial. But that was before the watershed British Gas AGM. That unhappy event propelled an unfocused political handwagon towards a new target. Financial institutions were painted as fodder for the company's politicking of directors.

Frightening institutions back into neutered inaction would help no-one. They control a majority of votes in most companies. Private investors are often badly briefed and have a poor voting record on all but a few high profile issues. If institutions take the easy way out of the block vote controversy, corporate governance would be set back.

British Gas showed, however, that they can be out of touch with the opinion of small investors and, by implication, out of touch with the people whose investments they manage. Those underlying customers may not be consistent either. They tend to take a longer-term view but are liable to sack fund managers who fall down on short-term capital performance.

Evidently, the big investors need to be linked more closely to those they represent, as well as to the companies. That is easier said than done, even when they have implied instructions, for instance where investors choose "ethical" funds. Pension fund trustees are best placed to act as real investors. Most institutions are likely to depend more on new specialised agencies that brief them and even exercise the mechanics of voting for them. PIRC, the best-known adviser, has a growing reputation as a watchdog on corporate governance issues, but it is far from infallible and sometimes seems to have its own agenda. Companies should themselves conduct regular opinion surveys

among investors. There should also be mechanisms for lobbyists to have access to institutions. All this would, however, cost a lot of time and money for unknown benefits and spawn another well-paid industry of middlemen.

While these arguments develop, institutions should perhaps adopt more rigorous habits. It is better to be represented at a meeting than to hand *carte blanche* to the chair. And if that is not possible, institutions might limit themselves to voting positively on issues they know and care about and leave non-financial issues to others.

### Tradepoint tests the market

□ SOMEWHERE in the dark tower on Throg Street, the knees of Stock Exchange officials trembled slightly as the Securities and Investments Board blessed Tradepoint Financial Networks with the status of Recognised Investment Exchange. There will be no public display of concern from the Stock Exchange. Why



should it worry about Tradepoint — a company based in Covent Garden and whose shares are listed on the Vancouver Stock Exchange?

Although it may lack pedigree, Tradepoint owns an order-driven electronic trading system that could darken screens that now display Stock Exchange's own SEAQ system and, ultimately, could put many market-makers out of a job. If the system works. It has not been tested live — Tradepoint is to launch in August — and will doubtless suffer teething troubles. But there are good reasons why Tradepoint's system should — in theory — attract business.

Its principal advantages are speed, discretion and keen price-

ing. Buy and sell orders are posted electronically by members touching keyboards; they can be brokers acting for clients, market-makers or fund managers dealing on their own account.

Unlike the SEAQ quote-driven system, there is no market-maker on the end of a phone who is financing a position in a stock and declaring his best bid and offer. Under Tradepoint's system, bargains are struck when buy and sell orders match.

If Tradepoint is effective, it should allow keener pricing; market-makers rarely display their best price on screen; institutions dealing in large sizes need to haggle to deal within the bid-offer spread to secure prices that the private investor never sees. Under Tradepoint's system, all orders are equal and the parties anonymous, a distinct advantage to an institution seeking to unload a large stake without revealing its hand.

Market-makers are hungry for capital but provide indifferent returns as some merchant banks have learned to their cost. Should Tradepoint capture a large share

of equity trading, some financial institutions may learn that the best returns are earned through brain not brawn.

### The whites of Greenbury's eyes

□ DRAFT copies of the Greenbury Report on executive payola have now been dispatched to the Confederation of British Industry and the DTI: an event which can be guaranteed to herald a further spate of leaks.

Informed speculation has it that the Greenbury gang — a not ill-remunerated industrial band — has come down strongly in favour of long-term bonus schemes rather than executive share options. Although Marks & Spencer chief Sir Richard Greenbury, spearheading the committee, is unlikely to admit as much, utility chiefs are perceived as the culprits. Public outrage over the scale of risk-free reward, courtesy of share options, has not fallen on deaf ears. Boots's recent decision to abandon share options is a sign of the times. Sir Michael Angus, chair-

man of Boots and a member of Greenbury, has already proclaimed: "Stock options are on the way out."

Greenbury is expected to favour incentive packages geared to a company's performance over a period of three to five years. More to the point, the committee is expected to recommend that shareholders should be given the right to vote before such bonus schemes are introduced.

Greenbury's proposals may require some amendments to the Companies Act although most of the recommendations could be implemented by alterations to the Stock Exchange's Yellow Book.

Sir Richard Greenbury's colleagues, including the likes of Sir Denys Henderson, former chairman of ICI, Sir David Lees, chairman of GKN, and David Simon, chairman of BP, are understood to have called for considerably greater transparency. They want full details of directors' remuneration, including a breakdown of basic pay, bonuses and share option arrangements, displayed in one section of the annual report. The scattergun approach is out.

The recommendation that new executive bonus schemes should be subject to a shareholders' vote is likely to be welcomed by John Major who originally pressed the CBI to take action.

## Yorkshire Water plans £320m pay-back

By GRAHAM SEARJEANT, FINANCIAL EDITOR

YORKSHIRE Water has cast further doubt over last year's water price review by announcing a £320 million package of customer rebates, extra discretionary investment and much higher future dividends.

These come from savings made, or planned, on capital spending and operating costs beyond the efficiency gains assumed in price limits set by Ofwat.

The mid-rank water group has raised its dividend 21 per cent to 27.6p a share for the year to March 31. The dividend boost, partly reflecting a \$5.8 million profit made on the sale of a minority interest in cable television, was comfortably ahead of analysts' expectations. Yorkshire shares rose 7p to 600p, after 607p.

The board is also asking shareholders for permission to buy back 10 per cent of its share capital. But Sir Gordon Jones, Yorkshire's chairman, said that the powers would not necessarily be used.

The utility's finances were boosted by a cut in capital spending, to £189 million, in the final year of the old price regime. Debt fell, by £85 million, for the first time since privatisation, leaving gearing at 10.6 per cent. A small cash inflow is expected this year before borrowing resumes.

The package for customers and shareholders is split into

two parts. From £150 million excess utility savings made in the past five years, customers receive a one-off "dividend" of £10, costing £20 million. A further £50 million is transferred to the group dividend account. Trevor Newton, Yorkshire's managing director, said the plan had been spent in price abatements and unbudgeted improvements.

The group hopes to save an extra £250 million over the next five years. Of this, £125 million is committed to improvements in service not allowed for by Ofwat investment, to eliminate sewage flooding, which affects about 900 homes, and to strengthen water supplies in areas of poor pressure. The group is also starting a scheme to compensate customers in cash for service failures. An equal £125 million would go to support dividend growth as and when earned. Sir Gordon declined to commit future dividend levels, ahead of possible changes in government and regulation, but promised "significant" increases.

After the cost of the rebate, Yorkshire's pre-tax profit fell 1 per cent to £142 million on turnover up 3.7 per cent to £549 million. Underlying earnings rose a fifth to 87.6p.

Times, page 28  
City Diary, page 29

### Henderson pension loss hits profits

By PATRICIA TEHAN  
BANKING CORRESPONDENT

A DRAMATIC loss of UK pension fund business sent pre-tax profits at Henderson Administration £2.2 million lower to £18.1 million in the year to March 31.

Despite the fall, the firm has increased the dividend for the year slightly from 44p to 45p, with the final payment of 31.5p due on July 21.

Henderson's shares fell by 46p yesterday to close at £10.65.

Henderson lost £1.6 billion from UK pension funds in the year and has been given notice by another 12 clients that a further £566 million funds will be moved to rivals.

A small increase in investment trusts funds and a rise in international funds failed to offset the pension fund loss.

As a result, funds under management and administration fell from £13.5 billion to £12.9 billion.

Funds under management were down from £12.2 billion to £11.1 billion.

Ben Wrey, the chairman, said that, despite the loss of UK pension fund business, the firm was able to add a net £1.4 billion of new funds for its retail, international and administration businesses.

Times, page 28

### NUJ draws claws for Daily Mail

By ALEXANDRA FREAN  
MEDIA CORRESPONDENT

THE National Union of Journalists has criticised the Daily Mail and General Trust for withholding information about an executive share option scheme, even though its own newspapers have denounced "fat-cat" share schemes at other companies.

The union said yesterday that nine existing and former executives were issued a total of 399,400 shares in Associated Newspapers, a wholly-owned subsidiary of the DMGT, under a share option scheme last year. The beneficiaries include Sir David English, chairman and editor-in-chief of Associated Newspapers (207,650 ordinary shares), Jonathan Holborow, editor of *The Mail on Sunday* (16,600), and Stewart Steven, editor of *The Evening Standard* (41,500). The shares have a nominal value of 25p.

Pre-tax profits grew from £24 million to £38.3 million in the half-year to end-March. National newspaper advertising revenues rose 13 per cent, but total newspaper operating profits slipped to £40.3 million (£42.8 million). There is a 4.3p (4p) interim dividend, from earnings before exceptionals of 21.4p (23.8p). The non-voting A shares fell 50p to £11.58.

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## STOCK MARKET

MICHAEL CLARK

# Barclays shares fall as profits forecast is cut

SHARES of Barclays Bank, the biggest of Britain's four high street operators, slumped 21p to 649p as its own banking arm took a scalp to its profits forecasts.

Hugh Pye, BZW's banking analyst, has cut his forecast for Barclays during the current year by £230 million to £1.94 billion and reduced next year's numbers from £2.28 billion to £2.1 billion. He made his move after calculating a drop in operating profits of about £138 million resulting from slower loan growth. Profits are also expected to be hit by a further £100 million worth of costs relating to the restructuring of its French middle market operations.

Meanwhile, costs are also growing at home as the number of job losses and branch closures slows and are offset by pay rises and bonuses.

Overall BZW remains a buyer of Barclays. "We are still a buyer of the stock. The sector has been hitting new highs recently. It's just that it's got a bit ahead of itself," says Mr Pye.

Elsewhere in the sector, Lloyds Bank lost ground dipping 13p to 664p on talk of an imminent rights issue. The group is currently finalising the acquisition of Cheltenham and Gloucester building society and now there is talk it may also join in the bidding for National Provincial.

Last month, Abbey National, 3p easier at 496p, announced it wanted to make an agreed bid for N&P. Most brokers scoff at talk of Lloyds bidding for N&P but say there is a real worry that the group may take advantage of the current strength of the shares to raise extra funds.

The equity market generally spent another lacklustre session with prices drifting lower in thin trading. The FT-SE 100 index managed to erase an initial fall of about 19 points but suffered another relapse after Wall Street opened with a fall. The index eventually closed 9.2 lower at 3,370.8.

There was a sense of anticlimax as the monthly meeting between Kenneth Clarke, the Chancellor, and Eddie George, Governor of the Bank of England, passed off without any fresh news emerging. Dealers agreed that the prospect of a small rise in rates had always been remote.

Among leaders, Cadbury Schweppes dropped 6p to 469p after finding itself on



Andrew Buxton, chairman of Barclays Bank, saw shares slump

the receiving end of several sell recommendations.

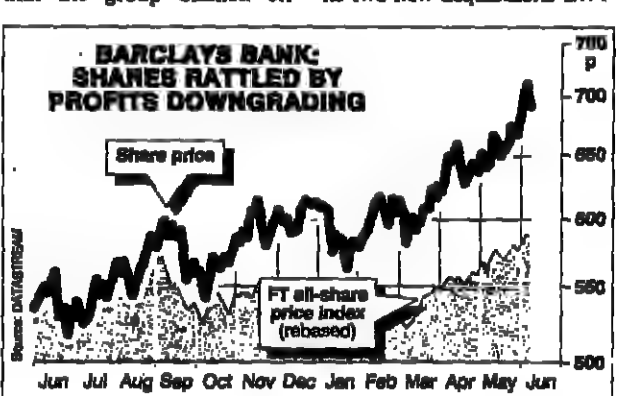
The Recs attracted revived support as the dividend season began to get into full swing. There were gains for East Midlands, 30p to 684p, Eastern, 17p to 670p, London, 20p to 684p, Manweb, 5p to 623p, Midlands, 17p to 671p, Norwest, 23p to 718p, Northern, 10p to 805p, Seaboard,

Yorkshire Water edged 5p higher to 598p after increasing the payout to shareholders by 21p cent to 27.6p after seeing pre-tax profits retreat to £142 million. The figure was struck after restructuring costs of £30.2 million and the group has promised to hand £20 million back to its customers, in the form of a £10 rebate, as well as setting aside a further £50 million for further dividend payouts. The group wants approval to buy back some of its own shares.

Strong performances from its two new acquisitions LWT

13p to 408p, South West, 20p to 698p, South Wales, 23p to 728p, Southern, 11p to 674p and Yorkshire, 23p to 721p.

Hambros, the merchant bank, tumbled 21p to 190p after realising the City's worst fears by cutting its final dividend and halving the payout to 7.5p. This followed a near 60 per cent collapse in pre-tax profits to £37.1 million that the group blamed on



BARCLAYS BANK: SHARES RATTLED BY PROFITS DOWNGRADING

and Sutcliffe Catering bolstered half-year figures from Granada, 2p firmer at 604p. Pre-tax profits during the period climbed 50 per cent to £154.5 million with the contribution from its independent television broadcasting division more than doubling to £71.9 million.

Erith, the builders merchant, jumped 8p to 74p after announcing that it had received an informal bid approach from rival Graham Group "some time ago". Erith said the approach was unsolicited and similar in content to a number of other offers received over the years. Speculators are talking of an offer of about 90p a share. Graham was 1p higher at 182p.

Quality Care Homes tumbled 21p to 264p after the group confirmed that it had rejected a bid worth 330p a share from Sun Healthcare. The bid would have required the full backing of the QCH board which controls 64 per cent of the shares.

Grand Central Investments marked time at 31p after starting in the red last year with losses of £3.5 million. The group blamed losses in its cocoa division, heavy interest charges and exceptional costs.

Rhino also shed 1p at 151p after confirming it was set to make a considerably larger loss during the first half of the current year.

Amec, the construction group, dropped 1p to 641p after telling the annual meeting that margin pressure in the UK remained extreme.

**WALL STREET:** Shares on Wall Street turned lower in morning trading with profit-taking setting in across the board after two successive record closing highs. At midday the Dow Jones industrial average was down 19.02 points at 4,466.18.

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## MAJOR INDICES

New York (midday):  
Dow Jones 4466.18 (-19.02)  
S&P Composite 533.80 (-1.75)

Tokyo:  
Nikkei Average 15670.62 (+10.60)

Hong Kong:  
Hang Seng 9382.98 (+115.25)

Amsterdam:  
EEX index 434.69 (+0.54)

Sydney:  
AO 2013.61 (+4.3)

Frankfurt:  
DAX 2141.07 (+5.33)

Singapore:  
Straits 2179.11 (+11.87)

Brussels:  
General 7665.86 (+0.83)

Paris:  
CAC-40 1974.69 (+6.75)

Zurich:  
SIX 663.70 (+2.50)

London:  
FT 30 2943.5 (+6.8)  
FT 100 3370.8 (-9.2)  
FTSE Mid 300 2990.0 (-5.1)  
FTSE-A 300 1074.6 (-4.1)  
FTSE-B 300 1374.7 (-2.7)  
FTSE-C 300 1054.8 (-3.0)  
FTSE-D 300 1774.8 (-0.9)  
FTSE-E 300 950.0 (-0.2)  
FTSE-F 300 943.1 (-0.2)  
FTSE-G 300 943.1 (-0.2)  
FTSE-H 300 943.1 (-0.2)  
FTSE-I 300 943.1 (-0.2)  
FTSE-J 300 943.1 (-0.2)  
FTSE-K 300 943.1 (-0.2)  
FTSE-L 300 943.1 (-0.2)  
FTSE-M 300 943.1 (-0.2)  
FTSE-N 300 943.1 (-0.2)  
FTSE-O 300 943.1 (-0.2)  
FTSE-P 300 943.1 (-0.2)  
FTSE-Q 300 943.1 (-0.2)  
FTSE-R 300 943.1 (-0.2)  
FTSE-S 300 943.1 (-0.2)  
FTSE-T 300 943.1 (-0.2)  
FTSE-U 300 943.1 (-0.2)  
FTSE-V 300 943.1 (-0.2)  
FTSE-W 300 943.1 (-0.2)  
FTSE-X 300 943.1 (-0.2)  
FTSE-Y 300 943.1 (-0.2)  
FTSE-Z 300 943.1 (-0.2)

RECENT ISSUES

Brit Aero Cap US P/P 728 ...

Dunelm FT An Div 105 ...

Fincham Div 106 ...

Gradius Group (122) 135 ...

Gus Carter (80) 91 ...

Langsons Foods (3) 3 ...

Oryx India 680 ...

Oryx India Wts 290 ...

Freemint (123) 141 ...

Schroder Inc Gth Wtd 107 ...

Schroder Inc Gth Wtd 107 ...

SUK Industries (125) 136 ...

RECENT ISSUES

Daniels (5) n/p (34) 25 ...

David Brown n/p (205) 27 ...

Laser-Glo n/p (13) 3 ...

Pringle People n/p (4) 1 ...

Regal Hotel n/p (33) 1 ...

Scott/Hotel Int n/p (475) 39 ...

RECENT ISSUES

RHSE:

BNH 74p (+8p)

Johns 14p (+1p)

Meyer Int 31p (+1p)

Westm Mgt Int 28p (+1p)

BCC 81p (+7p)

Barclays Int 28p (+1p)

Cherning 384p (+8p)

Colson 378p (+8p)

AB Food 378p (+8p)

Smirvins 385p (+7p)

Brake Bros 602p (+14p)

WH Smith 355p (+10p)

Borland 860p (+25p)

FALLS:

Hambros 183p (-8p)

HSSC 844p (-4p)

Lloyds 685p (-14p)

Cally 293p (-10p)

American 293p (-10p)

Saton Health 385p (-5p)

Osborne & Little 470p (-10p)

Corn Union 833p (-7p)

EFM 780p (-12p)

Quality Care 284p (-12p)

NFO 177p (-4p)

Closing Prices Page 33

## Robinson's options

WHILE half the fun for Granada-watchers is spotting the next big purchase, Gerry Robinson may be running out of options. The purchase of the Pavilion motorway services chain took out the only other decent-sized player in the business, while the proposed new cross-media ownership rules will not allow further expansion into terrestrial TV.

Granada's plans for a link with satellite broadcasting are in their infancy and must, under the Government's proposals, wait until 1997. The contract catering market in the UK is close to saturation, with Gardner Merchant, Granada and Compass controlling almost 90 per cent of the market.

Granada's keenness to buy Eures, the catering business owned by the debt-burdened French Accor hotel group, is well known, and Mr Robinson's scepticism yesterday on whether

the deal can be struck should be viewed with caution—a similar downplaying greeted market rumours of the Pavilion purchase before the latter actually happened. But with Compass also interested and Accor, by all accounts, in no hurry to sell, the price has apparently been forced up as high as £600 million, which is too much for Granada to pay.

The group's cash-generating abilities were well to the fore yesterday, even if £54 million of the £62 million debt reduction came out of the BSKYB float and borrowings will have risen since after the Pavilion and DVR purchases. The shares sell on 15 times current earnings and are now safely above £6. Mr Robinson is only too aware that the exercise of his share options, currently showing a £3 million-plus profit, would be read badly by the market.

## Henderson

A GLANCE at Henderson Administration's share price performance over the past year in isolation would suggest that everything at the fund manager is rosy. The rise in the market has worked its usual wondrous geared effect on the fund management sector and Henderson's shares have been dragged upwards.

But the bull market has been Henderson's only real saving grace, as it continues to live a Micawberesque existence in the middle ranks of the fund management industry. The firm proudly trumpets that it attracted £1.4 billion in new funds but it lost £2.2 billion of old funds. The sort of deflation that has been suffering for years.

Henderson has tried manfully to diversify and its newer ventures have scored

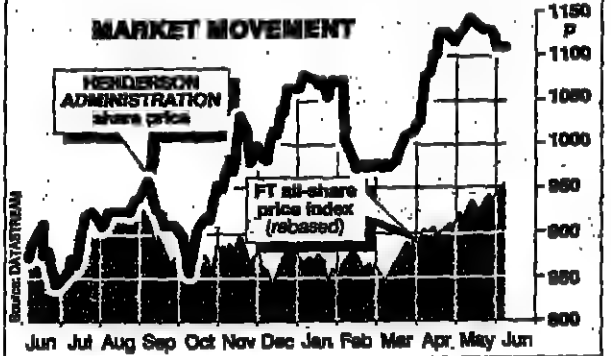
## modest successes: Seligman

Henderson, its international joint venture, has amassed funds of £1.4 billion, and its administration business is attracting a rising number of clients. But these have not offset the continual erosion of the core institutional pension fund business, which is eating into operating profits.

The rising market should

## help cushion Henderson

from further defections this year, but the issue remains unchanged. Previously, Henderson had the cash to buy Touche Rennehan and replace its lost funds. Now it has cut dividend cover to 1.2, reducing cash generation—its final trump card. New managing director Dugald Eadie has a tough job ahead.



MARKET MOVEMENT

## Yorkshire Water

FOR favoured water companies, the original green dowry seems to have been succeeded by the Byatt dowry, in the form of loose-fitting price limits. Yorkshire, like North West, is not about to sit back on its laurels. Having awarded shareholders a 250 million share of excess past efficiencies, it is looking to save £250 in the next five years, over and above regulatory demands. Half of these would be available for dividend "enhancement", with customers getting their half in kind.

This combination allows Yorkshire to proffer both a much higher base dividend (up 21 per cent) and scope for strong real increases. These could be impressive, possibly 6-10 per cent a year, since the group is already earning modest but eminently distributable non-core profits—£7 million in a normal year.

Unlike North West, Yorkshire is not committing itself to dividend figures, a sensi-

## ble caution given the possi-

bility of a political raid. But it is arming itself against another kind of raid with buyback powers akin to Anglian's. More canny, Yorkshire is likely to hold these in reserve in case predators appear. The shares, now £1 higher than Thames, yield an historic 4.75p at 600p and sell at 6.8 times earnings, ignoring the customer rebate. Deal cheap in a political vacuum, but not without risk in the real world.

## Arjo Wiggins

ARJO has managed to secure a useful consolation prize after being outbid for SD Warren. The purchase of the Stora mill may not give the group the instant critical mass in coated paper that Warren would have done, but Arjo can now expand organically without paying vast sums for goodwill.

The main danger is that Arjo's aggressive expansion in the industry will lead to

## some overcapacity and price

erosion, but it is a risk worth taking since Appleton in the US needs to diversify to continue to grow.

Arjo must wish it could tie up the purchase of Muhlebach, Holvis's distribution subsidiary, as easily. The odds look heavily stacked against international Paper in the bid, now that the Swiss authorities have given BBA the go-ahead. Arjo has been loyal to IP throughout, but if it withdraws there is nothing to prevent it making overtures to BBA. Muhlebach offers Arjo a bridged into Germany where paper merchandising is still a fragmented industry. Paper merchandising is definitely not a BBA and it would no doubt welcome a £100 million or so offer to tie up the deal quickly. Arjo's balance sheet can easily support such a run of deals, and there remains the chance of a cash call if a larger prospect comes into view.

EDITED BY NEIL BENNETT

## COMMODITIES

LONDON COMMODITY EXCHANGE			
COCOA			
Jul	324.24	Aug	329.00
Oct	334.00	Nov	338.00
Dec	344.00	Jan	348.00
Mar	354.00	Apr	364.00
May	374.00	Jun	384.00
Jul	404.00	Aug	414.00
Oct	424.00	Nov	434.00
Dec	444.00	Jan	454.00
Mar	464.00	Apr	474.00
May	484.00	Jun	494.00
Jul	504.00	Aug	514.00
Oct	524.00	Nov	534.00
Dec	544.00	Jan	554.00
Mar	564.00	Apr	574.00
May	584.00	Jun	594.00
Jul	604.00	Aug	614.00
Oct	624.00	Nov	634.00
Dec	644.00	Jan	654.00
Mar	664.00	Apr	674.00
May	684.00	Jun	694.00
Jul	704.00	Aug	714.00
Oct	724.00	Nov	734.00
Dec	744.00	Jan	754.00
Mar	764.00	Apr	774.00
May	784.00	Jun	794.00
Jul	804.00	Aug	814.00
Oct	824.00	Nov	834.00
Dec	844.00	Jan	854.00
Mar	864.00	Apr	874.00
May	884.00	Jun	894.00
Jul	904.00	Aug	914.00
Oct	924.00	Nov	934.00
Dec	944.00	Jan	954.00
Mar	964.00	Apr	974.00
May	984.00	Jun	994.00
Jul	1004.00	Aug	1014.00
Oct	1024.00	Nov	1034.00
Dec	1044.00	Jan	1054.00
Mar	1064.00	Apr	1074.00
May	1084.00	Jun	1094.00
Jul	1104.00	Aug	1114.00
Oct	1124.00	Nov	1134.00
Dec	1144.00	Jan	1154.00
Mar	1164.00	Apr	1174.00
May	1184.00	Jun	1194.00
Jul	1204.00	Aug	1214.00
Oct	1224.00	Nov	1234.00
Dec	1244.00	Jan	1254.00
Mar	1264.00	Apr	1274.00
May	1284.00	Jun	1294.00
Jul	1304.00	Aug	1314.00
Oct	1324.00	Nov	1334.00
Dec	1344.00	Jan	1354.00
Mar	1364.00	Apr	1374.00
May	1384.00	Jun	1394.00
Jul	1404.00	Aug	1414.00
Oct	1424.00	Nov	1434.00
Dec	1444.00	Jan	1454.00
Mar	1464.00	Apr	1474.00
May	1484.00	Jun	1494.00
Jul	1504.00	Aug	1514.00
Oct	1524.00	Nov	1534.00
Dec	1544.00	Jan	1554.00
Mar	1564.00	Apr	1574.00
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Jul	1604.00	Aug	1614.00
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Mar	1664.00	Apr	1674.00
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Oct	1824.00	Nov	1834.00
Dec	1844.00	Jan	1854.00
Mar	1864.00	Apr	1874.00
May	1884.00	Jun	1894.00
Jul	1904.00	Aug	1914.00
Oct	1924.00	Nov	1934.00
Dec	1944.00	Jan	1954.00
Mar	1964.00	Apr	1974.00
May	1984.00	Jun	1994.00
Jul	2004.00	Aug	2014.00
Oct	2024.00	Nov	2034.00
Dec	2044.00	Jan	2054.00



# THE TIMES

## CITY DIARY

### Options? Not likely, lad

THE directors' mutual gravy train does not appear to stop at Yorkshire Water, where former postmen's leader Tom Jackson, a long-standing non-executive director, set a nonsense approach to directors' pay. Bonuses went years ago and new share options were phased out in 1992. Yesterday, chairman Sir Gordon Jones revealed a 21 per cent dividend boost while directors' pay rose a more modest 3 per cent. "You don't get rich here," he insists. Sir Gordon's £160,000 has provoked outrage among some Yorkshire folk but he can now point to a survey of local businesses that shows him as the county's 75th highest-paid director. Yorkshire Water is the county's third-biggest plc.

### Nod and a wince

JUNIOR employment minister Phillip Oppenheim — in the unenviable position of being 1/c jobless data — took a bunch of number-crunchers by surprise with his definition of a statistician — someone who knows 99 ways of making love — but doesn't have a girlfriend. Wincing all round from government statisticians seated behind him.

WHIZ-KIDS are getting older: John Burford, 26, of Sacriston, County Durham, whose Harvey's Electrical Service is on call 24 hours a day, is winner of Shell UK's 'Lifestyle UK Start-Up Award' and can now be styled as 'Lifestyle Entrepreneur of 1995'.

### Empty chair

CITY briefings will be all the poorer from now on. Sir Matthew Goodwin, a former deputy chairman and treasurer of the Scottish Conservative Party, and a man not slow to speak his mind, retires as chairman of Hewlett-Packard at today's AGM. Sir Matthew, 66 on Monday, and chairman since 1979 has "cold off" many a fellow businessman and analyst in his time, including chiding those who did not invest in the recession, and short-termists.



### Looking East

VIRGIN DIRECT, Richard Branson's fund management arm, may diversify into Japan. An unnamed Japanese retailer, impressed by the success of the Virgin Direct Pep (it has taken £60 million in less than four months) has approached Branson on a joint venture. The Branson name has already attained something of household status through the dozen Virgin record stores in Japan.

### Moveable feast

HACKS leaving Chichester Rents after day six of the Maxwell trial were puzzled to spot three paper bags prominently placed on a table in the foyer, addressed to Richard Lisack QC, part of the SFO prosecution team. Closer examination revealed the contents to be the team's lunch, itemised as 3 chocolate mousses, 1 soup, 3 orange juice, 3 Diet Coke, 3 chicken and bacon salads, and 2 kettles of crisps — all for the tidy sum of £20.45. And who said barristers lacked taste?

COLIN CAMPBELL

# Will inflation target go the way of other bright ideas?

There is increasing suspicion that the authorities are operating on the basis not of one target but two

It is quite probable that Norman Lamont hit on the wheeze of having an official inflation target while stinging in the bath, as he put it, relieved that sterling's ill-fated stay in the exchange-rate mechanism was finally over.

The Government felt strongly after the ERM debacle that it had to have a new monetary anchor to restore confidence in the markets and the inflation target was pounced upon in the panic weeks after Black Wednesday. Two-and-a-half years later, it is well on its way to becoming as discredited as the 1980s spaghetti junction of money-supply measures with names like motorways and the ERM itself.

When Mr Lamont announced the new target in late 1992 — 1 per cent to 4 per cent, aiming to get into the bottom half of that range by the end of the current Parliament — nobody really took it seriously. Inflation was above 4 per cent and sterling had just been devalued by 15 per cent.

But, courtesy of a deep recession and powerful deflationary forces during recovery, inflation has remained comfortably within target and the band has come to be regarded as the respected talisman of monetary policy-making.

Until now, there is increasing suspicion that the authorities are operating on the basis not of one inflation target but two. The Bank of England is basting its advice on getting inflation into the bottom half of the range, the Chancellor appears to be happy with 1 to 4 per cent.

It is worth quoting Kenneth Clarke's remarks in a recent interview with *The Financial Times*, not only for his view of the inflation target but also his less than flattering comment on the Bank's forecasting ability: "If the latest Bank of England forecast turns out to be more accurate than any of their previous ones and if underlying inflation does come in at 3 per cent, I would, I think be perfectly entitled to turn round and say that is not much short of a triumph when you look at previous recoveries."

It is fairly clear that yesterday's meeting decided to leave interest rates unchanged. It started at noon, later than the normal time of about 9.30 am, but the Bank still had ample opportunity to signal a rates change if there had been one. That is as may be.

The apparent difference of emphasis on the inflation target between the Bank and Number 11 will still have to be resolved if there is not to be a monthly outbreak of tension around monetary meetings. The Mansion House dinner next Wednesday, at which both Mr Clarke and Eddie George, Governor of the Bank of England, deliver speeches, would be the ideal opportunity.

The Treasury has been reviewing the inflation target and it is possible that the outcome could be announced next week. Given that the Bank of England bases its advice on where it thinks inflation will be in two years' time and the election must be held by May 1997,

the need to roll-over or change the inflation target is urgent.

In view of the recent speculation about disagreement on interest rates between Mr Clarke and Mr George and the almost inevitable scepticism that would greet any change to the target which makes it look less tough, a show of solidarity at the Mansion House would be the best presentation of the target.

Most speculation has suggested that the target could be changed to a 0 to 3 per cent band. That would probably cause only a minor stir in the City, but totally ignores the question of whether an explicit inflation target — and a tight one at that — is, in any case, a fairly nonsensical lode star for policy.

It is notable that very few countries have chosen to saddle themselves with explicit inflation targets. New Zealand is the best known example and one which the Bank of England has championed. The Reserve Bank has a target of 0 to 2 per cent and a provision that the Governor has to resign if he misses that target (not a clause which Mr George is likely to be that keen on).

New Zealand is joined by a motley crew of other central banks in Canada, Finland, Sweden and Spain. Other, more eminent central banks such as those of Germany and America do not have such targets. The US Federal Reserve has a statutory duty to target both prices and growth. The Bundesbank has to be generally supportive of broad government economic policy without compromising its prime task of safeguarding the value of the mark. The Bundesbank, quite sensibly, seeks to keep inflation at an average 2 per cent over the course of the economic cycle.

Britain's hastily conceived target neither allows for the natural volatility

of inflation from month to month, nor for the propensity of inflation to rise temporarily when the cycle is maturing. Both mean, if the Bank were to have its way, a bias towards unnecessary deflation.

David Macleod, UK economist with JP Morgan, has looked back at the inflation records of major countries and shown that, even in eras historically proved to have enjoyed low inflation, volatility was greater than the 3 per cent range apparently allowed by the Chancellor and much greater than the 1.5 per cent band being pursued by the Bank of England.

Between 1961 and 1969, inflation in Germany — with a far better record for controlling prices than the UK — averaged 2.5 per cent, but ranged between 4.5 and 0.6 per cent. In that nine-year period, only 62 per cent of the monthly inflation readings were in a 1.5 per cent range around the average. Between 1960 and 1969, US inflation averaged 2.3 per cent, but ranged between 5.9 and 0.6 per cent.

Mr Macleod suggests that a high degree of success is needed to make any inflation target credible and that a more sensible option for Britain would be to announce the aim of achieving an average inflation rate of 2.5 per cent without any attempt to predict the variability around this average.

The other, even more serious misdeed of the Lamont inflation target is that the Government has committed itself to driving inflation below 2.5 per cent at a time when the economic expansion may be close to its peak. As Roger Bootle of Midland Bank points out, if inflation were indeed to be between 1 and 2.5 per cent by the end of the current Parliament, the chances are

that it will be negative when the economy turns down.

Quite the silliest aspect of the inflation target is that it is tied, quite speciously, to the political cycle. May 1997 may be a key date for the Conservative Central Office, but it has no economic significance whatsoever.

The Bank of England could, at any stage since the target was announced, have told the Government that it was badly designed. The fact that the Bank has not so counselled — although the Mansion House next week may prove that assumption wrong — is testament to a glaring lack of self-confidence.

The inflation target is not the Bank's fault but, so desperate is Mr George to grab what he has called a once-in-a-lifetime chance to deliver low inflation and so further the Bank's arguments for full independence, that his mandate to meet this particular target — and not pursue any wider goals as in Germany and the US — has been swallowed unquestioningly.

It is the Bank's sole monetary job to advise the Government how to meet the inflation target and the question of whether it is the right monetary anchor must surely be crucial for the Bank's independence campaign.

As the pre-election end-game is played out there are two possibilities, neither comfortable for the Bank. The target could be missed as the Chancellor goes for votes, the Labour Party has a field-day at his expense, the Bank's reputation suffers and the experiment is rendered as meaningless as former monetary anchors. Or it is hit, the Bank gets the kudos and the voters of Basildon vote resoundingly against the discomfort of inflation below 2.5 per cent. Then the Bank faces the unknown quantity of a Labour Chancellor.



Eddie George, Governor of the Bank, yesterday after his monthly monetary meeting with the Chancellor

## Putting the case for a flexible labour market

The Government is urging EU states to follow its lead, says Philip Bassett

The Government claims today that the UK labour market is now performing better — because of the policies it has introduced.

In an unusual move, the Government has published a "medium-term" strategy for jobs and unemployment in Britain. Although it no longer publishes any real forecasts of the likely level of unemployment, the document from Michael Portillo, Employment Secretary, takes a broadly sanguine view of the development of the UK labour market.

Tony Blair, the Labour leader, was less sanguine yesterday. Addressing the annual conference of the GMB union in Brighton, he spoke of the "revolution" in the world of work. — He spoke too of the welcome opportunities it offered as well as the insecurities it generated.

At the European summit meeting in December, EU heads of state agreed a range of labour market moves, including increasing the "employment-intensity" of economic growth, and

Jobs are "responding to workers' needs", with about a quarter of the workforce, or about six million jobs, now part-time.

Promoting the values of a flexible labour market, the Government urges EU states to follow suit to push up employment levels.

Mr Portillo says he believes in minimum employment standards. His argument is with the level and extent at which such they are set. Although he believes labour market flexibility is the right policy to pursue, he says that on its own it "will not produce low unemployment". For that, the economic fundamentals have to be right — and that essentially means sustainable low inflation. "Jobs cannot be created by artificially stoking up demand," he says.

At a London conference yesterday on competitiveness and the labour market, James Robertson, Mr Portillo's chief economist, said there was now evidence to show the Government's approach was yielding "positive" results.

Jobs can't be created by artificially stoking demand

In particular, during this recovery phase we are noticing better labour market performance than during previous upturns. Growth was feeding through more quickly into jobs and from there into lower unemployment than in the past, he said — though he did not date the change in policy to the reforms of the early 1980s, which he lumped in with the "wrong approach" policies of the 1960s and 70s, but timed the change to 1986, when the Government began pursuing so-called active labour market policies with Restart.

Bill Callaghan, the TUC's chief economist, told the conference that flexible labour market policies did not seem to have raised the level of employment over the cycle. The argument over flexibility is so economically and politically pointed that the two sides are unlikely ever much to agree. Though few would be likely to argue with one of the conclusions of the Government's document: "Unemployment in the UK remains too high. Further sustainable reductions in unemployment are required."

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### Proof of adverse effects of a national minimum wage

From the Under-Secretary of State, Department of Employment

Sir, I was interested to read the survey commissioned by Personnel Today of the impact of a national minimum wage, set at £4.10 an hour reported in Ross Nieman's article (Minimum wage will not threaten jobs, June 5).

The survey found the majority of heads of personnel in 325 companies and public-sector bodies share the Government's view that a national minimum wage would destroy jobs. In fact, most academic studies, both in the UK and abroad, show the imposition of a national minimum wage has an adverse effect on employment. Studies by the OECD, an IMF World Economic Report and the Euro-

pean Commission White Paper: Growth, Competitiveness, Employment, acknowledge statutory minimum wages have an adverse effect on employment prospects, particularly among the young and in low-productivity regions.

Belgium and France have minimum wage legislation and have significantly higher unemployment rates for adults and young people and lower jobs growth than the UK. Young people are particularly badly served by a minimum wage, because they are excluded from employment at wage levels which reflect their experience and skills.

Of course, we all want to see low-paid people earn more, what we have to do is to continue to make the economy more competitive, to improve

training and education and give people the chance to be more productive and so earn more in a sustainable way.

In fact, whereas British productivity stagnated in the late 1970s, since 1979 Britain's productivity, particularly manufacturing, has risen rapidly allowing for significant real wage rises at all levels. The real take-home pay of a low-paid couple with one earner is £25 a week higher now than in 1979, while weekly take-home pay of a low-paid single man has risen £27 ahead of inflation since 1979, whereas it fell £1 under the last Labour government.

Yours faithfully,  
PHILIP OPPENHEIM,  
Department of Employment,  
Caxton House,  
Tothill Street, SW1.

### Ban on proxy voting is undemocratic

From the chief executive, ProShare

Sir, In their anxiety to attack institutional shareholders (Union seeks ban on AGM proxy voting, June 5), the GMB and John Edmonds, its general-secretary, have not thought out their argument at all. Amending company law to prevent proxy shareholders voting negates rather than improves democracy. What of private shareholders who are too busy or cannot afford to go to the AGM yet want to record their votes? Are they to be banned from exercising their rights as shareholders?

Shareholders entitled to vote at a company meeting can appoint anyone they like as their proxy. Those who vote by proxy indicate the way they want their votes to be cast and return the proxy cards to the company's registrar. The chairman of the meeting simply reports on the results which the registrar has analysed. To say that votes should be cast by shareholders themselves rather than on their behalf by directors of the company demonstrates a complete misunderstanding of the proxy system, which exists to ensure that those who want to exercise their votes can do so.

There are many ways that the shareholder democracy, on the basis of one share one vote, can be encouraged and improved but effectively deny-

ing shareholders the right to vote is not one of them.

Yours faithfully,  
GILL NOTT,  
Chief executive,  
ProShare (UK) Ltd,  
Library Chambers,  
13-14 Basinghall Street, EC2.

### No sell-off at Nirex

From Mr Chris Murray

Sir, Privatisation, as suggested in your report (Merchant Bank to advise Nirex, June 2) is not on our agenda. Some of the company's shareholders and major customers are to be privatised. This has potential implications for Nirex's financial structure, as set down in the Nuclear Review White Paper.

We have appointed a merchant bank to advise on any issues arising in the context and to help to service the information needs of the privatisation advisers to the nuclear generators and Government. The run-up to nuclear power privatisation will require intensive preparations across the whole industry. Nirex, as a small company, is simply equipping itself to respond.

Yours faithfully,  
CHRIS MURRAY,  
Finance and Corporate Services Director, Nirex,  
Curtis Avenue, Harwell,  
Didcot, Oxfordshire.



Glossy deal backed by \$270m funding to win market share

## Arjo buys American paper mill

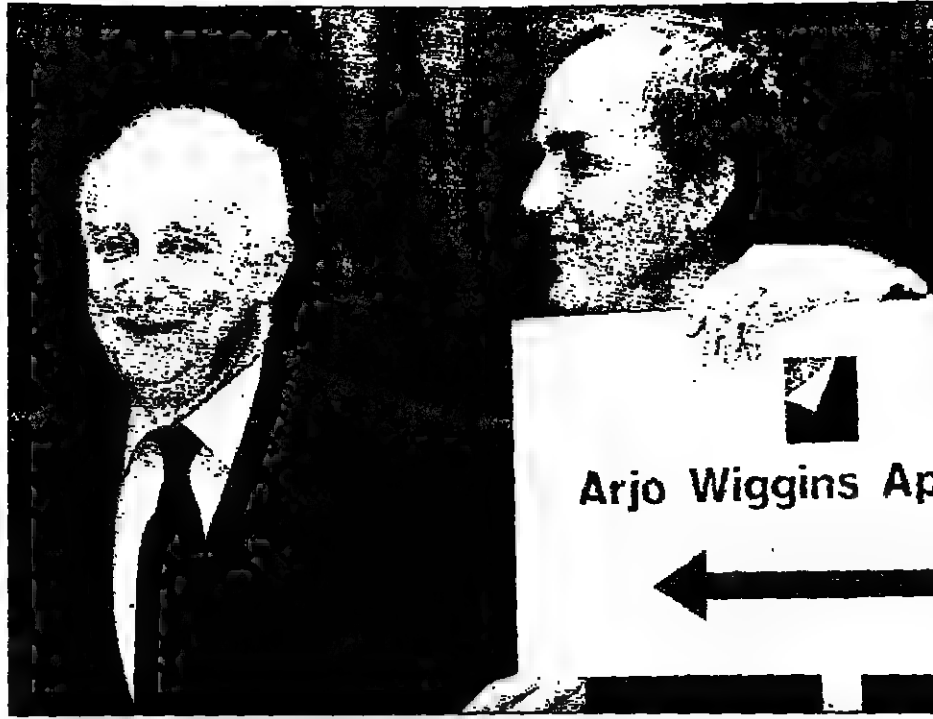
By NEIL BENNETT

ARJO Wiggins Appleton, the paper group, has secured its long-awaited move into the American coated paper market with the \$60 million acquisition of a paper mill in New York State from Stora, the Swedish paper company.

To help secure 6 per cent of its new market, the group is launching a \$270 million investment programme.

Meanwhile, Arjo suffered a setback in its attempts to buy a subsidiary of Holvis, the Swiss paper and non woven textiles group, after the Swiss Bourse Commission decided to allow a bid from BBA to proceed. Arjo is supporting a rival offer by International Paper in an effort to buy Holvis's paper distribution company.

The Commission said that both bids met its code, although IP may appeal against the decision. There were signs last night, however, that IP may withdraw, since BBA has signed a lock-out arrangement with Holvis to block rival bids. City sources suggest that Arjo may try to enter talks with BBA over buying the paper distribution business if IP



Cob Stenham, chairman, left, and Alain Soulas, chief executive, point west to America

does back away from the deal. Arjo wants the paper distribution business to expand its European merchanting arm. Arjo's acquisition in the US, Stora Newton Falls, produces

100,000 tonnes of coated paper a year for glossy brochures and magazines. It controls more than 2 per cent of the American market. Arjo will invest heavily in this mill over

the next two and a half years and also in its mill at Combined Locks, Wisconsin, to build a coated paper plant alongside its existing carbonless copy paper production. By

mid 1997, the group hopes to produce up to 291,000 tonnes of coated paper a year and intends to concentrate on the top grades and build a market share of up to 12 per cent.

The acquisition follows Arjo's unsuccessful bid for SD Warren, another coated paper maker, last year. Arjo already has a large coated paper operation in Europe.

Dale Schumaker, the chief executive of Appleton Papers, Arjo's US subsidiary, said that coated paper is the next logical step for the company since it now dominates the American carbonless copy paper market with a share of more than 50 per cent. He said: "We are running out of room in carbonless paper." The group would consider further acquisitions, he added. Arjo is also examining ways of entering the American quality paper market.

Alain Soulas, Arjo's chief executive, said that Arjo is also looking for ways to withdraw from American pulp manufacturing. The group produces 35 per cent of its own pulp from two plants but prefers to have the freedom to source pulp from other companies to take advantage of the price swings.

## Rival tipped for Spanish store group

FROM EDWARD OWEN IN MADRID

JAVIER Gómez Navarro, the Spanish Minister of Commerce, yesterday recommended to the creditors of Galerías Preciados, Spain's bankrupt department store group, that its 30 stores should be sold to its rival, El Corte Inglés.

Barclays and Loyds, involved with last disastrous sale of Galerías by the Mountleigh Group, are owed most of the 17.8 billion pesetas (£92 million) short-term debt. Citibank is another major creditor. Their debt has been partly written off, with the involvement of ICO, the Spanish state debt agency, into the affairs of Galerías.

Although there were two other offers for the chain, the offer from Spain's most profitable private company could not be refused. El Corte Inglés, with 33 stores including 12 hypermarkets, has both the finance — its last net profit was £168 million — and the funds — an estimated £1.6 billion. El Corte Inglés will pay Pts30,000 million for Galerías and has promised to re-employ 5,200 of the 7,300 staff. It has not bought Galerías's brand name.

## RPC ahead in spite of raw material rises

STRONG volume growth and a gain in market share helped RPC Group, the rigid plastic packaging supplier, to limit the adverse impact on full-year profits of rising raw material costs. Acquisitions and organic growth helped pre-tax profits climb 5.1 per cent to £8.03 million in the year to March 31, as turnover, boosted by acquisitions and higher raw material prices, rose 16.7 per cent to £79.4 million. RPC has benefited from the trend in recent years to move from glass to plastic containers. There has been growing demand for plastic containers from the food and paint industries as their customers accept plastic bottles in supermarkets and plastic pots instead of tins of paint.

In spite of "unprecedented increases" in the costs of polymers, which doubled in price during the year, Ron Marsh, chief executive, said the impact of rising raw material costs on margins was offset by the ability to pass on price increases to customers. The company is optimistic on prospects in spite of uncertainty over further changes in raw material prices. The final dividend is raised to 2.25p (2.2p) and is payable on August 11, lifting the total dividend 7.8 per cent to 3.45p (3.2p) for the year, from earnings ahead to 9.6p (9.4p) a share. Year-end gearing stood at 36 per cent.

## Graystone buys Ring

GRAYSTONE, the acquisitive engineering company, has bought Ring Group, a supplier of automotive parts and consumer lighting products. Some £8.6 million of the cost will be funded by a two-for-seven rights issue at a price of 11 pence per share. The full cost of the purchase could climb to £12 million as the deal includes £3 million of performance-related payment. Graystone also forecast that pre-tax profits for the year ending June 30 would rise 40 per cent to £5.8 million, with the dividend up to 0.52p from 0.24p.

## DCS shares suspended

SHARES in DCS, the computer software company, were yesterday suspended at 78p pending shareholder approval of a £8.2 million acquisition of Computing Services for Industry. The acquisition was made conditional because of the relative size of CSI in relation to DCS, which is valued at £7.5 million. Funding for the agreed bid is intended to be split between loan notes, a new issue of shares and cash. The cash element is about £300,000, with CSI vendors having agreed to accept a mixture of loan notes and paper.

## Chemring advances

CHEMRING, the marine equipment manufacturer, increased pre-tax profits by a quarter to £3.88 million in the half year to March 31 after a rationalisation programme. The advance was based on a 42 per cent rise in sales, to £34 million, even though the figures did not include a contribution from Ronstan, the Australian business bought in February. The half-year dividend rises 11 per cent, to 3.58p, payable on July 31. Philip Billington, the chairman, said that order books were strong.

## Graham Group in talks with Erith

By PHILIP PANGALOS

SHARES in Erith, the builders' merchant, jumped 8p to 74p after Graham Group, the builders' merchant business spun off from BTR last year, confirmed it had been holding talks with Erith with a view to a takeover offer.

Graham said it has held talks with Erith in the past, but now hopes to have further talks, though these may not necessarily lead to an offer, especially after the recent move in the Erith share price.

The Takeover Panel is thought to have prompted a statement from Graham after a recent rise in Erith's shares from about 55p. The latest increase gives Erith a market capitalisation of £36.3 million.

Analysis says Graham is likely to bid between 90p and £1 for each Erith share, valuing the group at between £44 million and £49 million. However, Graham is unlikely to want to get involved in any bidding war if other interested

parties enter the fray. Any deal is likely to be part-funded by an equity issue of some sort as Graham's gearing already stands at about 30 per cent.

Graham said there is strong commercial logic for a combination of its operations with those of Erith as there is a good geographic fit and a complementary product range. Graham has 148 branches around the country, but is weak within the M25, while Erith has 43 branches, mainly within the M25. Graham also tends to concentrate on the lighter end of the market, while Erith is more focused on heavier, lower-margin products such as timber and building materials.

An acquisition of Erith would lift Graham from fifth place in the fragmented UK builders' merchant market to second, Wolseley. Graham said sales in the first five months of 1995 increased by about 12 per cent.

# GENERATIONS OF POWER.



European Gas Turbines (EGT) has been a world leader in gas turbine power generation since the days of Sir Frank Whittle's famous jet engine, when part of Sir Frank's 'Power Jets' team joined EGT engineers in Lincoln to develop the world's first industrial gas turbine. Nearly 50 years on, EGT is still at the forefront of gas turbine technology, with annual sales approaching £1 billion.

Today, EGT has a global reputation for engineering excellence and manufactures the world's most comprehensive range of gas turbines - from 2MW to 226MW - with almost 4,000 gas turbines currently operating in 105 countries for power generation and mechanical drive applications. The company also designs, tests and manufactures aircraft engine modules for the world's leading aero engine manufacturers.



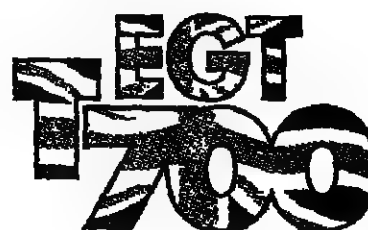
Selection of the EGT T700 aero engine for the UK Attack Helicopter competition will provide over 5,000 man years of industrial benefits to the UK, including sustained design, development and support work for many years to come. The contract will also benefit the UK with some tens of millions of pounds in technology transfer.

The EGT T700 - from generations of power.



### EUROPEAN GAS TURBINES

GE C ALSTHOM



European Gas Turbines, Aero and Technology Products, PO Box 1, Thorngate House, Lincoln LN2 5DJ.  
Tel: 01522 584000 Fax: 01522 584900

## COMPAGNIE FINANCIERE OTTOMANE SA

The Company has appointed Banque Paribas as Global Co-ordinator of a placing on the international market and a simultaneous domestic Turkish offering of approximately 20% of the issued capital of its Turkish subsidiary Osmanli Bankasi AS. In connection therewith, it is proposed to list the capital of Osmanli on the Istanbul Stock Exchange. Subject to approval from the Turkish Capital Markets Board and prevailing market conditions this project should be launched in July 1995.

Accountancy, Finance and  
Banking Appointments  
now appear in  
Section 3  
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**TRADING PERIOD:** Settlement takes place ten business days after the day of trade. Changes are calculated on the previous days close, but adjustments are made when a stock is ex-dividend. Changes, yields and price/earnings ratios are based on middle prices.

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## ACCOUNTANCY

## Customs' culture conundrum

Mike Fountain on the problems of Britain following its European partners into zero-rated VAT

Customs and Excise, famous in the past for its pronouncements on whether a Jaffa Cake is a chocolate-covered biscuit or a chocolate-covered cake, and for defining a cup of tea, has been set a new challenge. The Government has asked it to define "culture" so VAT rules for bodies in the cultural sector can be changed to comply with European Union law, which now allows such bodies to be VAT-exempt.

The UK Government's discretion to consider sporting and cultural activities VAT-exempt lapsed in 1990, but so far Customs and Excise has only introduced the exemption for non-profit-making sports clubs. Potentially, however, exemption for cultural bodies could be highly detrimental if the legislation is not carefully thought through.

Patrons of the arts will expect to see admission prices to museums and galleries fall if admission tickets become VAT exempt. As usual, however, VAT is not that simple. The drawback for any cultural bodies opting for retrospective exemption is that they are immediately restricted from recovering VAT on their costs.

VAT bills on the upkeep of, for example, very old museum buildings, would become irrecoverable, and this cost would have to be passed back to patrons through higher admission charges.

Customs and Excise is facing its own dilemma: on the one hand it is keen to allow the exemption, and thus comply with the European legislation. If it makes eligibility for the exemption too wide, however, it could face a significant loss in revenue from VAT on admission tickets. The European VAT legislation allows the exemption for "bodies governed by public law or other cultural bodies recognised by the member state concerned". Recent case law is helpful in determining what is meant by bodies governed by public law, but there is considerable doubt about the definition of recognised cultural bodies.

Our European partners have come up with a solution. Most restrict the exemption to those bodies relying on grant funding, and apply a lower rate of VAT (about 5 per cent) to all other cultural bodies, whether in the private or the non-profit-making sectors. The result is that patrons



Mike Fountain says all cultural bodies will have a chance to lobby the Government

benefit from lower admission prices, and cultural bodies retain their ability to recover VAT incurred on costs. Governments continue to enjoy revenue from admissions.

In Europe the lower rate of VAT is applied widely to include admissions to shows, theatres, circuses, fairs, amusement parks, zoos, cinemas, museums and similar cultural events and facilities. One has to remember too that other member states do not operate the VAT zero rates that cost the Exchequer about £17 billion a

year, so it is easy to see why Customs is so concerned.

Whether a lower rate of VAT is considered in the UK may well be influenced by the view of Stephen Dorrell, the Heritage Secretary. He has stated publicly that he is opposed to a lower rate of VAT, believing that elsewhere in Europe there are problems where more than one rate of VAT is applied. It is worth pointing out that this view is not shared by VAT practitioners in the various member states, and that his statement was made

before the Government defeat in the Commons over VAT on domestic fuel and power.

Customs is in discussion with the Department of National Heritage and bodies that are likely to be affected, prior to full public consultation. This will be an opportunity for all cultural bodies to lobby the Government to get the best out of any proposed changes in the VAT legislation.

The author is partner in charge of Coopers & Lybrand's UK VAT Practice.

## With or without the Channel Islands?

IT IS possible that we have begun to be no longer startled by the incoherence of the Arthur Andersen, in 1992 it was sixth in the league table of the "Big Six" accounting firms. Last year it was third. This year's figures, released on Monday, showed it at second. Its supremacy seems to be a matter of when, not if. If you ask senior partner Jim Wadsworth if it will take another year, or two, or three, to reach the top, he has the same answer: "Our time will come."

When it does, there will be a remarkable story to be told. Andersen set up an office here only in 1956. It has never indulged in massive mergers. It tried to merge worldwide with Price Waterhouse in the 1980s, but failed. "Incompatibility of technology, clients and annuity liabilities," said Andersen. The only mergers Andersen has made in the UK are with Tansley Wilt in the late 1970s, which was proved to have been a bit of a mistake, and Bunder Hamlyn last year, which was not.

For one thing, it doubled the number of Top 500 company audits under the Andersen umbrella. And that has been both its strength and its failing. Audits in depth have never flocked to Andersen. But everything else has — in particular consulting. As a comparison, KPMG derives 55 per cent of its fees from consulting. Andersen derives only 24 per cent from auditing. But on the other hand, it pulls in 53 per cent of fees from consulting, against KPMG's mere 16 per cent. This leads to tensions. Last year at this time Coopers & Lybrand looked down from its lofty position at the top of the league and suggested that Andersen's growth came from the sort of consulting work installing systems that none of the other firms did. So a comparison between the two firms was akin to comparing apples and pears.

This year, it was KPMG's turn to gripe. After all, Andersen had leap-frogged it into second place. The KPMG fee figures were shown "net of expenses". We feel there may be inconsistencies in the figures of other firms, said Colin Sharmann, senior partner. He gave an example citing accounting turnkey assignments. He said: "Where you buy kit which you invoice onwards to the client, you should, as we do, take it out of the fee figures." Other firms, he implied, did not.

The most UK managing partner of Andersen Consulting would say on the matter was "no comment". This, as we all know, is the frustration of having a system for measuring the growth of the accounting firms which are, after all, some of the most significant professional service organisations in the world, which is arbitrary and unaided. This year, for example, firms produced sets of figures which included the Channel Islands and sets which did not. If you phoned up to ask for the figures you were greeted with the choice — with or without the Channel Islands? — which was made with all the insouciance of a waitress asking you if you would prefer one lamp or two. No company has such an option. "Do you want the debts on balance sheet or off?" they might ask.

It is, as we have all agreed for years, a disgrace. And the firms know it and do little about it. But there are signs that other factors may persuade them to change. Price Waterhouse complained much about Europe. This is not new, of course. It has complained about Europe ever since a disgruntled US partnership refused to help the UK firm to fund its European expansion. Since then, the European operations have been either a disastrous drain on the UK partnership, or a thoroughly worthwhile but long-term enterprise. If you believe PW, this week PW was complaining that KPMG had included overseas work staffed and funded by the UK firm in its UK figures. KPMG did make a point in its review of "systems implementation work for Mercedes-Benz Finance" and "advising the Hong Kong Government on trade promotion policy".

Andersen Consulting would say on the matter was "no comment".

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PW argued that it did a mass of work in Europe, both Western and Eastern, out of the London office, but none of it, it felt, ought to be included in the UK figures. "For better growth opportunities," said senior partner Ian Brindle. "We are seconding more and more partners and professional staff overseas, particularly into Eastern Europe. There PW is growing at 50 per cent per annum in people terms, and 60 per cent in income terms." It may make much more sense in the future for firms to accept that Europe, rather than the narrower UK, is what their markets are, and so their figures should reflect that. But think of the confusion: "With or without Benelux?"



ROBERT BRUCE

## Worries add up at KPMG

THE long-awaited decision by KPMG, the accountancy group, to incorporate is yet again due "this month". But if the firm does go for a corporate structure, it has some worries ahead. These are quite apart from the English ICA asking about practising certificates for auditors who are part of both a company and a partnership and apart from aggrieved clients who will continue to target the remaining partnership rather than the new limited

## ANY OTHER BUSINESS

company with litigation. What KPMG has been deluged with are offers from the smaller accountancy firms to do the audit. Given the nature of the job, there has been no predatory pricing at all.

## Figure of fault

ALL the large firms keep tabs on each other's figures and on what the annual results are published they all produce their own in-house analyses.

Some are less kind than others. On the chart produced by one firm (which shall remain anonymous) of the other firms' professional staff-to-partner ratios there is a blunt note relating to the figures put out by Ernst & Young. "Inconceivable computed by E&Y", it says.

## No pig but stick

THE annual meeting of the English ICA is no British Gas. No pigs labelled "chief execu-

tive" are paraded outside, for example. But the president, Roger Lawson, was not disappointed. Normally, not a question of note is asked. So Lawson, citing British Gas, asked for a livelier meeting. He was faced by aggrieved members arguing that the "Big Six" accounting firms lacked "moral courage", standards were sliding and low-balling was rife. Maybe even accountants are throwing off the restraints of an AGM.

## Arbiter Austin

WHETHER you are self-regulated or state-regulated, sooner or later someone has to be identified as the person with whom the buck stops. And it is difficult sometimes to identify precisely who this might be. At the end of a tirade at the English ICA AGM, one member, having received no satisfaction from a number of institute executives and committees, announced that he was taking his case to the final arbiter — Austin Mitchell, MP.

ROBERT BRUCE

## Court of Appeal

## Undertakings can cure EC breach

Regina v Secretary of State for the Environment, Ex parte Friends of the Earth and Another

Before Lord Justice Balcombe, Lord Justice Roch and Lord Justice Pill

[Judgment May 25]

The breach by the UK of its obligation to ensure that water intended for human consumption met EEC standards of wholesomeness was sufficiently dealt with by the Secretary of State for the Environment accepting undertakings from water authorities to ensure conformity with those standards.

The Court of Appeal so held in dismissing an appeal by Friends of the Earth Ltd and Ms Christine Arne Orrego, in substitution for Mr Andrew John Lees, deceased, against the dismissal by Mr Justice Schiemann (*The Times* April 4, 1994) of their applications for judicial review of decisions taken by the secretary of state under the Water Industry Act 1991 on October 4, 1991, whereby he accepted separate undertakings from Thames Water Utilities Ltd and Anglian Water Services Ltd to take

steps which appeared to him appropriate for them to take for the purposes of securing or facilitating compliance with the duty under section 59(1)(a) of the 1991 Act to supply wholesome water as defined in the Water Supply (Water Quality) Regulations (SI 1989 No 1147), and his concomitant decision not to make any enforcement order pursuant to his duty under section 18 of the 1991 Act in respect of contravention of the regulations by Thames and Anglian.

Mr Michael Beloff, QC and Miss Helen Mouldfield for the appellants; Mr Stephen Richards and Mr Christopher Kadoski for the secretary of state.

LORD JUSTICE BALCOMBE said that the secretary of state accepted that the United Kingdom had been in breach of its primary obligation under Directive 80/778 (EU 1980 L228 p11) since 1985. In October 1989 the European Commission brought an action in the European Court of Justice and obtained a declaration, that, by failing to implement in its domestic legislation and to apply correctly the Directive, the UK had failed to fulfil its obligations under the EEC Treaty (*The Times*

December 10, 1992; [1992] ECR M1031).

The obligation of the UK to rectify its breach of the primary obligation was called by the judge "the secondary obligation".

Mr Justice Schiemann had summarised the issue as follows: "In my judgment the appropriate question for the court is whether the appellants have shown that the acceptance by the secretary of state of the undertakings is an unlawful way of attempting to fulfil his duty to remedy the breach of the United Kingdom's primary obligation."

The appellants criticised that formulation because of the words "attempting to fulfil" which they said misunderstood the nature of the secondary obligation.

The essence of Mr Justice Schiemann's decision appeared from the following passages in his judgment: "I accept for present purposes that the secondary obligation is an obligation on the United Kingdom to rectify the breach as soon as possible and not merely as soon as practicable. 'Moreover, I accept that the wording frequently used on behalf of the secretary of state in the evidence is to the effect that he is

seeking to secure a result as soon as practicable."

"However, in any particular case, it may be that it is not possible to achieve a result earlier than is practicable. In such a case, the use of the word 'practicable' rather than 'possible' does not necessarily betray a legally erroneous approach."

He later said that: "The evidence does not show that the secretary of state has, in accepting the undertakings, adopted a too leisurely approach."

His Lordship said that the only issue was whether the acceptance by the secretary of state of the existing undertakings was a sufficient compliance with the primary obligation to comply with the Directive and the secondary obligation to rectify the breach as soon as possible and not merely as soon as practicable.

On that, the submissions by the appellants were substantially the same as those made to Mr Justice Schiemann. In general terms his Lordship would reject them as the judge did. However, in deference to the arguments presented his Lordship would deal with certain points in greater detail. "Attempting to fulfil"

There was nothing in that point it was just playing with words. The judge had taken as a whole made it clear that he correctly recognised the nature and extent of the UK's obligations and correctly addressed himself to the question whether the actions of the secretary of state in accepting the existing undertakings complied with the secondary obligation to rectify the breach of the primary obligation as soon as possible.

"Practicable" or "possible"

Mr Beloff had complained of the frequent use of the word "practicable" in the evidence filed on behalf of the secretary of state. But as the judge had pointed out in the passage previously cited "it may be that it is not possible to achieve a result earlier than is practicable".

The evidence filed on behalf of the secretary of state indicated the practical complexities of bringing all drinking water up to the requisite standards.

In his Lordship's judgment it was obvious that considerations of practicality did enter into the equation of what was possible and he knew of no principle of law, European or domestic, which required the court to ignore practicalities. He would dismiss the appeal.

Lord Justice Roch and Lord Justice Pill delivered concurring judgments.

Solicitors: Bindman & Partners, Treasury Solicitor.

## Law Report June 8 1995

## Queen's Bench Division

## Power to stay libel case

Cunningham v Scottish Daily Record and Sunday Mail Ltd and Others

Before Mr Justice Drake

[Judgment March 30]

The court had jurisdiction to stay proceedings on the ground of forum non conveniens where proceedings had been issued by the plaintiff in one of the jurisdictions in the United Kingdom.

Mr Justice Drake so held in the Queen's Bench Division in a judgment given in chambers and reported with his Lordship's permission in allowing an application by the defendants, Scottish Daily Record and Sunday Mail Ltd, James Cassidy, its editor, and Charles Lavery, a journalist, for a stay of English libel proceedings issued by the plaintiff, David Cunningham.

Mr Manuel Barco for the defendants; Mr H. N. A. Stacie for the plaintiff.

MR JUSTICE DRAKE said that the plaintiff was a student at Stirling University. He was Scottish although he lived for a short time in England and hoped to work in England as the field of television. He claimed that he was libelled in an article published in

the *Sunday Mail* which had a circulation of about 850,000 copies a week of which about 60,000 were sold in England.

The plaintiff claimed damages for libel in both England and Scotland. The defendants sought a stay of the English proceedings on the ground of forum non conveniens saying that Scotland was the appropriate forum.

The plaintiff opposed the application on the ground that, by virtue of the Civil Jurisdiction and Judgments Act 1982 the court had no jurisdiction to refuse to entertain the proceedings in England.

There was no doubt that the question whether or not the court had power to apply the doctrine of forum non conveniens was to be answered by reference to the 1982 Act, which incorporated substantial parts of the Convention on

Jurisdiction and Judgments in Civil and Commercial Matters 1968.

In *Foxon* his Lordship held that to preserve the doctrine of forum non conveniens as between different jurisdictions within a single contracting state was contrary to the spirit of the Convention and his Lordship continued to see much force in the view that it would be more sensible to have one mechanism in force uniformly within the Community, not only as between different contracting states but between different jurisdictions within a single contracting state. However, his Lordship was now persuaded that that was not the effect of the 1982 Act.

In *Foxon* his Lordship had attached weight to the statement in *European Civil Practice* by Stephen O'Malley and Alexandra Layton (1989) 47(2) 263 which were relied on by counsel for the plaintiff in that case. However, closer examination of that passage made it clear that it was referring only to international cases.

In the present case, his Lordship had been directed to another passage in the book which threw a very different light on the passage his Lordship had referred to in *Foxon*.

At pp1085-1086, to which his

Lordship had not been referred in *Foxon*, it was quite clear that where the jurisdiction of the English court was derived exclusively from section 16 in Schedule 4 to the 1982 Act, the court was free to apply the doctrine of forum non conveniens.

Mr Stacie had urged his Lordship to abide by the decision in *Foxon*. He accepted that his Lordship had jurisdiction to depart from it since it was only the judgment of a judge of equal standing to his Lordship, in this case actually being his Lordship.

It was rightly said that one should not depart from an existing judgment of a parallel jurisdiction unless one was convinced that it was in error. His Lordship had been so convinced.

Since it was likely that the present case would go to the Court of Appeal, where *Foxon* would have gone had it not been settled, the Court of Appeal would be faced with what might be a unique position of being asked to choose between two conflicting rulings on a point of law by the same judge.

Whatever the Court of Appeal decided, his Lordship would be held wrong. However, he had the consolation that he would also be held right.

Solicitors: Morrison Skirrow, Biddle & Co.

## CAA's duty is to public generally

Philcox v Civil Aviation Authority

Before Lord Justice Staughton, Lord Justice Millett and Lord Justice Ward

[Judgment May 25]

The Civil Aviation Authority's supervisory role was intended for the protection of the public and it did not owe a duty of care to the owners of aircraft to ensure that they maintained their aircraft properly.

The Court of Appeal so held in dismissing an appeal by the plaintiff, Martin Philcox, against the decision of Mr Patrick Bennett, QC sitting as a deputy judge of the Queen's Bench Division on February 23, 1994 on the trial of a preliminary issue, that the defendant, the Civil Aviation Authority, was not liable for damages in negligence following a crash involving the plaintiff's aircraft.

Mr Stuart Isaac, QC and Ms Jane Oldham for the plaintiff; Mr Robert Webb, QC and Mr Robert Lawson for the CAA.

LORD JUSTICE STAUGHTON said that the plaintiff had alleged negligence by the CAA for failure to inspect his aircraft properly and for issuing it with a certificate of airworthiness. Just over a month after the issue of the certificate the aircraft had crashed.

The critical question was whether it was fair, just and reasonable to impose a duty of care on a body entrusted by Parliament with the duty of supervising the activities of others, especially

where it was said that that duty was to be owed to the person who was to be supervised.

There was no universal rule that a supervising body could not owe a duty of care, but had Parliament intended the CAA to be responsible for protecting the owners of aircraft from a failure to protect themselves properly?

In four recent cases the courts had held that even third parties could not recover for the failure of a supervising authority: see *Marc Rich & Co AG v Bishop Rock Marine Co Ltd* [1994] 1 WLR 1071; *Yuen Kiu Yiu v Attorney General of Hong Kong* [1988] AC 173; *Marlora Marine Corporation v Lloyd's Register of Shipping* [1990]

1 Lloyd's Rep 547; and *Murphy v Broadwood District Council* [1991] 1 AC 398.

The plaintiff argued that the reasons which led to the supervisory authority being exempted in those cases, the lack of proximity between the supervisory authority and the third parties who suffered loss and the fact that the third parties could be a large and undefined class, did not apply. With the person who was supposed to be supervised there was a greater degree of proximity and a smaller class which was better defined.

However, in his Lordship's judgment, it was the task of an owner to maintain his aircraft properly. The

CAA supervised in order to make sure that the owner had done what it was his responsibility to do. It was there to protect the public against an owner's failure, not to protect an owner against his own failures.

It would not be fair, just or reasonable to hold that the CAA owed a duty to inform the owner of an aircraft if he had not carried out his primary duty of maintaining his aircraft properly.

Lord Justice Millett and Lord Justice Ward gave concurring judgments.

Solicitors: Ronald A. Prior & Co, Walthamstow; Barlow Lyde & Gilbert.

## Suspended accountant rightly excluded from appeal

Cassell v Crutchfield (Inspector of Taxes)

A qualified accountant who had been suspended from membership of two accountancy bodies following his conviction for criminal offences did not have an automatic right to be heard at the hearing of a previous client's tax appeal before general commissioners.

Mr Justice Blackburn so held on June 6 in the Chancery Division dismissing an appeal by Mr John Francis Cassell from the determination by Szeay general commissioners that his former accountant, Mr Arthur Hughess Franklin, was

not to be permitted to represent him at the hearing of his appeal against tax assessments.

HIS LORDSHIP said that by section 50(5) of the Taxes Management Act 1970 on the hearing of an appeal, the commissioners "shall hear any statement, that is to say, any person who has been admitted a member of an incorporated society of accountants".

Mr Franklin had been admitted a member of the Institute of Cost and Management Accountants and the Chartered Association of Certified Accountants, but his membership had been suspended following his conviction for crim-

inal offences relating to the falsification of documents and statements. It was implicit in section 50(5) that the person who was the accountant enjoyed membership of the relevant accounting body at the time of the hearing and had not since been suspended. The commissioners' decision was correct.

## Correction

In *Manchanda v Manchanda* (*The Times* May 29) the solicitors for the husband were Anderson & Co, Portsmouth.

## Single poll tax offence

Director of Public Prosecutions v Burton and Others

Before Lord Justice McCowan and Mr Justice Mitchell

[Judgment May 25]

Section 106(2) of the Local Government Finance Act 1992 created a single offence by requiring that a councillor who had a two-month arrears of poll tax should reveal that he was in arrears and by proscribing any use by him of his voting powers on the setting of poll tax and related matters.

The Queen's Bench Divisional Court so held when allowing the appeal of the prosecution by way of case stated against the decision of the Plymouth Stipendiary Magistrate, Mr D. L. Thomas, to dismiss charges against Robert Burton, Ernest Alexander Colley, John Ambrose Coyle and Patricia Nora Coyle, councillors of Plymouth City Council, that they had failed to disclose poll tax arrears and had voted on motions to determine poll tax amounts contrary to section 106(2) of the 1992 Act.

Section 106 of the 1992 Act provides:

"(1) This section applies at any time to a member of a local authority... (b) a sum falling within paragraph (1)(a), (b), (c) or (e) of Schedule 4 to the [Local Government Finance Act 1988] (... provisions with respect to community charges), has become payable by him and had not been repaid for at least two months."

"(2) ... if a member to whom this section applies is present at a

meeting of the authority or committee at which any of the following matters is the subject of consideration, namely... (c) the exercise of any functions under Schedules 2 to 4 to this Act... (provisions with respect to community charges) he shall at the meeting and as soon as practicable after its commencement disclose the fact that this section applies to him and shall not vote on any question with respect to the matter."

Rule 17 of the Community Charges (Administration and Enforcement) Regulations (SI 1989 No 438) provides: "(3) A charging authority and a chargeable person may agree that the amount mentioned in regulation 16(3) [the estimated amount of community charge liability] which is required to be paid under a notice to which regulation 16(2) applies should be paid in such manner as is provided by the agreement rather than in accordance with Schedule 1 [provisions for a scheme for the payment of community charge by instalments]."

Mr Philip Havers, QC, for the prosecution; Mr Paul Drunkels, QC and Miss Jo Collins for Ernest Colley; Mr James Patrick for John and Patricia Coyle; Robert Burton did not appear and was not represented.

LORD JUSTICE MCCOWAN said that the prosecution had not been able to adduce evidence before the magistrate that the respondents had voted at a council meeting held to determine local taxation as well as having failed to disclose their poll tax arrears.

If section 106(1) of the 1992 Act had been intended to create a single offence it would have had different wording. It was not possible to accept that the only mischief that the Act aimed at was the voting.

There were two mischiefs being targeted: speaking and voting. If the only mischief was voting then the failing to disclose element would have no purpose.

Mr Drunkels argued that the councillors were not in breach of section 106 in any event because they had come to agreements with the local authority about the payment of poll tax under rule 17(3) of the 1989 Regulations.

He submitted that an agreement as to when to pay instalments could be made under rule 17(3) at any time, even in relation to amounts which had fallen due; that is, to agree about outstanding payments.

His Lordship could not accept Mr Drunkels' argument. The words "the amount..." which is required to be paid "looked to the future and they referred to something which was to be paid and not to something which should have been paid."

The supervisory magistrate should not have found that there was no case to answer but his Lordship did not see fit to remit the matter back to the magistrates' court.

Mr Justice Mitchell gave a concurring judgment.

Solicitors: Crown Prosecution Service, Headquarters; Wolferstan, Plymouth; Bond Pearce, Plymouth.





# FILM 1

Smell the sleaze in *Kiss of Death*. Barbet Schroeder's dip into New York's meanest streets.



# FILM 2

... while the Manhattan smart set is satirised in a screen version of *Six Degrees of Separation*.

# THE TIMES ARTS



# FILM 3

Love blossoms over the nappies in *Jack & Sarah*, a British comedy that amuses fitfully.



# VISUAL ART

Alone in the desert: Sarah Raphael's new exhibition evokes the heat and haze of the Australian outback.

NEW FILMS: Geoff Brown sees TV's sensitive star beaten to the punch by wide-screen evil in the patchy *Kiss of Death*

# Caruso sings, but Cage roars

The first thing Nicolas Cage does is hurl a drunken driver out of a lorry cab and on to the Tarmac. Not that we need such an introductory gesture: one glance at Cage's sneering eyes, grim mouth, trim beard and bulging muscles and we know to beware of Little Junior, the nastiest gangster in Queens, New York City. He sports an acronym on his sweatshirt: BAD. "Balls, attitude, direction," he explains, and he demonstrates those qualities by grinding opponents into the dust, usually in the garish surroundings of the Baby Cakes club, front for his racket.

Wait a minute, though. Was not *Kiss of Death* supposed to star red-haired pin-up David Caruso (see interview below) in his first big movie role after finding glory as Detective John Kelly in the television series *NYPD Blue*? It still does. Caruso's role is Jimmy Kilmartin, the buffeted ex-con trying to go straight who infiltrates Cage's gang after being forced to play police informer. He is sympathetic, vulnerable, the fires within well banked-down.

But whenever Cage comes along, Caruso becomes wallpaper. Cage brandishes muscles acquired for the role, punches out ominous dialogue ("I like you, you're OK"), and generally displays the realism of a circus clown. It is an astonishing, look-at-me performance, although it is unlikely to age as well as Richard Widmark's giggling killer in the original 1947 film.

The clash of styles permeates the whole movie, the fourth American venture by Barbet Schroeder, a long way from his European origins as a producer for that egghead's delight, Eric Rohmer. On the surface, few recent crime films pay such attention to authenticity. You can smell the paint, oil and sleaze at L and M Automobile, where the gang's stolen cars are revamped. And with Richard Price as screenwriter, you are guaranteed topical knowledge about criminal

## Kiss of Death

Odeon West End, 18, 100 mins

Nicolas Cage knocks out David Caruso

## Six Degrees of Separation

Warner West End, 15, 111 mins

Absorbing treatment of John Guare's play

## Jack & Sarah

Warner West End, 15, 109 mins

One wedding, half a funeral, and Richard E. Grant

## The Brady Bunch Movie

Empire, 12, 89 mins

Goofy revamp of the 1970s sitcom

## Killer

MGM Haymarket, 18, 98 mins

Pleasant thriller with a human face

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Muscles maketh madman: Nicolas Cage on the receiving end of a dodgy situation — for a change — in Barbet Schroeder's sporadic remake of the thriller *Kiss of Death*

slang and devious District

Attorneys.

Yet deep down the film is a

vaudeville show with a crazy

headline, Cage, and a plot that

keeps stumbling over awkward

details, like Cage's fear of tasting

metal in his mouth, or the weeping

eye of Samuel L. Jackson's cop. By

the time of Caruso and Cage's final

bout, any sympathy for Caruso's

plight has been trampled by gaudy

artifice. Somewhere, a far better

film lies buried.

Despite the fame of John Guare's

original play, nobody has hurried

to release *Six Degrees of Separation*

in Britain. The film was shot

by Fred Schepisi in 1993 with a

script by the author. Stockard

Channing was nominated for Best

Actress in the 1994 Oscar sweep-

stakes, but came away empty-

handed: always a Hollywood

outsider, she had a big enough

fight on her hands simply to keep

her stage part of Ouisa Kirtledge,

the smart New Yorker who bears

the brunt of the upheaval caused by

a smooth-talking impostor claim-

ing to be Sidney Potters's son. One

year later, the film dips into our

cinemas.

But there is nothing here to be

ashamed about. Indeed, it is time

for trumpets, for *Six Degrees*

always entertains, looks elegant,

never mangles its source material,

and gives movie audiences that

rare commodity: something to

think about.

From the moment Channing and

her art dealer husband discover

their dishevelled apartment ("Oh

my God, the Kandinsky!"), Ouisa

shrinks), Guare and Schepisi whip

us into a mounting frenzy of cross-

cut scenes. Comedy jostles with

philosophical debate; pathos wells

up unexpectedly. First we hear of

the Kirtledges' gullibility. Then

other cases come to light: smart

white Manhattanites with children

at Harvard, all duped by a black

con artist (the rap artist Will Smith,

charismatic in the role), who flat-

ters their liberal consciences and

offers them stardust, plus the

possibility of bit parts in his father's

new project, a movie of *Cas*.

Alongside the splendid Channing,

Donald Sutherland shakes off his

usual torpor as her wary

husband. Probably the good dia-

logue revived him: Guare's words

sit still in a few places, but usually

dart with acid wit and bright

observations. Among the rest of the

cast, only Ian McKellen seems ill at

ease, trapped in the filmy role of a

South African businessman who

witnesses the impostor's magic.

Judging by its ingredients, *Jack*

& *Sarah* should really have been

called *One Man and a Baby, One*

*Wedding and Half a Funeral*. The

man is not Hugh Grant, but

Richard E. Grant; the baby, Sarah,

is his own daughter, who lands on

his lap after his wife dies in labour.

You can guess some of the jokes:

the nappy improvised from cotton

wool and a dishcloth; the attempt to

bring the baby to work crammed in

a Jiffy bag, loosely dressed in a sock

and a towel. Macho males may

have to hide under their seats.

The weddings and funerals

indicate the British social comedy

that writer-director Tim Sullivan

attempts to wrap round his

gurgling little charmer. There are

hovering in-laws, spiritedly played

by Judi Dench, David Swift and

Eileen Atkins. There is McKellen,

getting his second bad part of the

week as a vagrant turned manserv-

ant who flits through the script

like a gaffly. More to the plot's

point there is Amy, the hapless but

good-hearted American who comes

to be Sarah's nanny and Jack's new

love. Samantha Mathis tries hard

as Amy, but is steam-rolled flat

by British colleagues long experi-

enced at sit-coms. For essentially

this is what Sullivan's first feature

is; not for nothing is the producer

Granada Films, the big-screen

division of Sullivan's TV employer.

*Jack & Sarah* is good for an easy

laugh and a warm glow, but it

lacks the sharpness and dexterity

of the best British comedies.

More sit-com humour surfaces

in the daff but endearing *The*

*Brady Bunch Movie*, based on the

early 1970s series about a hideously

wholesome family and their suburban

adventures. The film's princ-

pal joke is that the Bradys' values,

hairstyles and polka dot clothes

have survived the years unaltered:

they walk the LA streets like

visitors from another planet. Inter-

esting to imagine how an anarchic

director such as Michael Lehman

might have attacked the material:

with Shelley Long and Gary Cole

starring. Betty Thomas sticks to

bland silliness. The film passes the

time pleasantly enough.

So does Mark Malone's *Killer*, a

modest first film that handles its

cliches lightly and never forgets

that killers are people first, death

machines second. Gordon Mon-

gomery's script needs to be slapped

into proper shape, but the tart

dialogue and assured playing give

real body to the principal charac-

ters: a hitman in love (Anthony

LaPaglia) and the target eager for

death (Mimi Rogers).

VISUAL ART: A new Raphael returns from the outback

# Growth in the desert

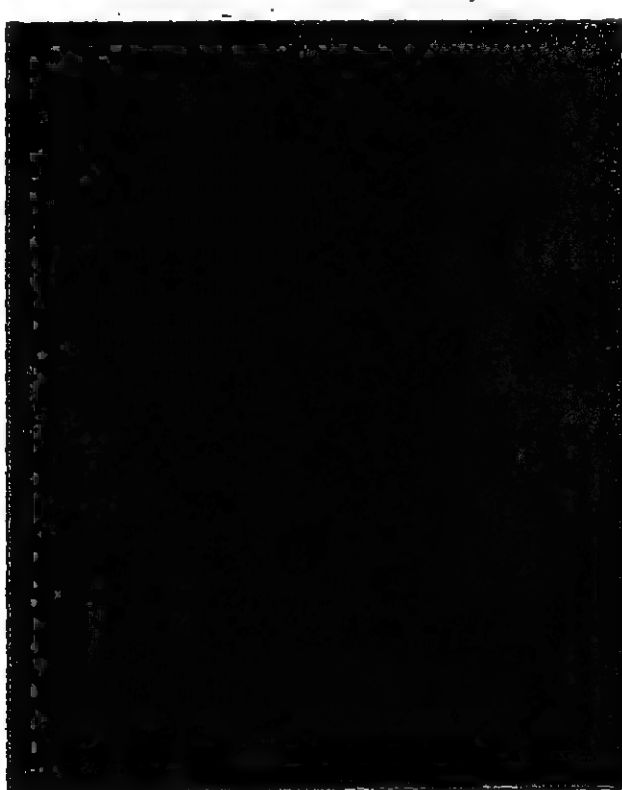
When Sarah Raphael won the inaugural Villiers David Travel Award two years ago, she left her husband and two young children at home and took off to the Australian outback for six weeks. "I wanted to go to the other side of the world," she says. "I wanted to be shocked out of my complacency, to force myself into a new way of looking. I've never agreed with the idea that a painter must choose between the figurative and the abstract."

Now giving her third solo show at Agnew's gallery in London, Raphael has moved away from the meticulously figurative work for which she is known, towards a more lyrically expressive style of painting.

In the downstairs gallery are some earlier pictures, a series of small portraits in glacial tones. Their intimate delicacy and precise composition testify to polished technical skills. Upstairs hang her most recent canvases: expanses of hot ochres, umbers and siennas which stamp the baked, repetitive enormity of the desert on to the mind.

"It's not that I disown everything I've done previously," Raphael says. "If you decide to give up the literal depiction of reality, it's important to understand what's being left behind." In her desert paintings, Raphael has abandoned scale, distance and perspective. There are no camels or ants to give a sense of size, no sky to fix a horizon. "All I was left with was light, form and colour," she says.

"Out in the bush, I felt desperate. I was used to being good at painting and suddenly I couldn't do it. The desert was



"Just a piece of planet": Raphael's *Sometimes a River (III)*

associated with landscape — it wasn't a landscape at all, just a piece of planet.

"Aboriginal art suddenly meant something to me. The desert really is spotted — everything twinkles and sparkles, the light is blinding, the shadows are dark pits in the ground."

Raphael adopts the pointillist technique of Aboriginal artists. But instead of using the dots in a formulaic way to create a uniform surface, she has used them non-uniformly. "I wanted to see each dot as an object: not a part of something else, but a thing in its own right. Everything is precious here, in an environment where living organisms might have undergone millions of years of adaptation just to survive."

The viewer's eye travels restlessly over the surface of each canvas, tossed around amid ambiguous spaces. A mark may be a boulder or a pebble, a wash of grass or a

could equally be sweeping aerial views or minute studies of a rock face.

"I haven't painted this way since I was a child," Raphael says. "These are not pictures of an actual place — I didn't even take my studies with me into the studio. These are landscapes invented from feelings and amalgamated memories. They are metaphors for the raw vastness of the desert."









## THEATRE 1

Revenge among the Spartans: the RSC brings Ford's *The Broken Heart* to the Barbican Pit



## THEATRE 2

At the Royal Court, *Song from a Forgotten City* offers a lament for Wales and its losing streak

## THE TIMES ARTS



## OPERA

Wagner wars: a new production of *Lohengrin* from great-grandson Gottfried stirs up old family feuds



## CD DIRECT

Four superb recordings from the top violinist Anne-Sophie Mutter, available at special prices

## Wooden spooners in a grand slam triumph

The annual Barclays New Stages Festival favours shows that travel with an ID card labelled "performance", and the publicity for this year's groups includes the familiar references to "computer-generated images", "organic freedom" and "at the forefront".

But this production (at the Royal Court until Saturday) is that rarity, a text-based piece: written and directed by Ed Thomas for Y Cwmni, the

### Song from a Forgotten City Royal Court

Cardiff-based theatre and television company co-founded by him, Cardiff itself is the forgotten city of the title, in Thomas's view, that has never managed to turn itself into the buzzing, teeming, high-energy metropolis Wales has needed

in order to mean something to the world. It used to mean rugby, but it also loses at that these days.

The trouble with the place is that it consists of periphery without a middle. Even Albania designs its geography better. Wales has a past right enough — the coal, the valleys, the golden age of rugby and the singing. But what is there to sing about if you lose international status to all and sundry, particularly the sundry? Thomas sets his play on the evening following a Welsh loss to England. In sequences of offbeat dialogues — and monologues even further off the beat — delivered to spell-bound listeners, Thomas's characters are engaged in an attempt to imagine a proper Welsh metropolis, although it is a vision that betrays determinedly from the conventions of film noir to escape from their actual seedy and drug-sodden existence.

Significantly, what fires their most vivid speeches is past events: not the distant past but encounters that afternoon, or half an hour ago. The central character, Carlyle, is a dazed writer played by Dorian Thomas, an actor with a Mussolini head and black caves in place of eyes. When he wanders into the Angel Hotel to type his script he entertains the bellboy and the night porter with a word for word account of a pub conversation with a suicidally dejected barman. Russell Gomer's porter follows with a comparably detailed report of a post-match argument, and then Richard Lynch chips in with the bellboy's story of a fisherman mauling him while the national team huddle to defeat.

These are enjoyable snippets, delivered with fierce energy and creating a mosaic of various kinds of Welsh discomfort at the eternal round of defeat. The second half's development of this, with buggery as one climax and death as the other, lacks the earlier mad coherence, but the performances continue to combine the anguished and the comical, assisted by atmospheric lighting and surges of loud sound.

The programme cover shows a girl in black bra and panties who does not appear in the play. The designers fill an entire page writing stuff about her "absent presence": now there's organic freedom at the forefront for you.

JEREMY KINGSTON

## A bumpy ride

How did the car get up the stairs? A Citroën has parked itself in the Warehouse's little first floor auditorium. What the ingenious mechanics were behind this is not the only question mark hanging over Douglas Esson's promising but, at points, clumsily engineered play.

*Nervous Breakdown* is a vaguely dark comedy where husband-and-wife serial killers bump into each other at an all-night service station, somewhere up North.

Something funny is going on here. Marie (Caroline Milmore), the hoisty cashier, is in the regulation horrid nylon uniform. But the action appears to be taking an insane twist when Wallace, her replacement for the graveyard shift, arrives in black tie. And why is Rose (Veronica Roberts) kitted out like a cowgirl with a Colt 45? Dismissing the bruise on her thigh and talking about her husband half in the past tense, why is she so jittery about her car breaking down?

There are explanations. It is revealed that Rose has been driven up the wall by her country-and-western-obsessed spouse. Wallace is in costume from his am-dram rehearsal of *My Fair Lady*. Esson's strengths are sheer silliness and theatrical surprise. Paul McCrinn's camp

### Nervous Breakdown Warehouse, Croydon

Wallace is delightful, adjusting the surveillance camera so he can watch himself hammering it up as Henry Higgins. And it is not every day that you get cars being jacked up in the theatre then squashing unsuspecting locksmiths (droll Danny Charles).

Conna Orton's cast, mixing television stars and young actors, gives the play a fair staging. The conviction of Michael Taylor's set is terrific, complete with concrete floor and rogue weeds, petrol pump and rusting signs. But Esson's script is not always a match for it. Marie and Rose ruminate rather falsely on "spitting in the face of Eve" and how the world twists truth. But it is early days yet and Esson shows signs of having a sharp ear for colloquialisms.

I was left dubious about what to make of Esson's angled wives who apparently terminate their men for, respectively, finishing off meals with Wagon Wheels and for putting down innocent pets, the veterinary practice that pushed Marie over the edge. The ladies are hardly as winning as Thelma and Louise.

KATE BASSETT

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Shadow play: Emma Fielding as Penthea and Robert Bowman as Ithocles in Michael Boyd's production of Ford's *The Broken Heart* at the Pit

## Duty-bound in Sparta

Benedict Nightingale reviews a stirring Royal Shakespeare Company revival of the play that is arguably John Ford's masterpiece

Many people know the story of the Spartan boy who let a fox gnaw at his stomach rather than reveal that he was surreptitiously holding it. In his *Broken Heart*, just transferred from Stratford's Swan to London's Pit, John Ford played sublimely, more elaborate variations on the same legend. Several of his leading Spartans are putting a brave face on being devoured: but the creatures that are performing that job have taken up residence in their heads, hearts and bowels. Their foves are inner, not outer, and, as the final body-count shows, more destructive than ever.

The plot is more diffuse than that of Ford's *'Tis Pity She's a Whore*, and Michael Boyd, who directs, does well to ensure that we don't miss the body for the tentacles. It all derives from the rather big error that has been made by the heroic young Spartan general, Ithocles. Instead of allowing his sister Penthea to wed her betrothed, Orgilus, he has given her in marriage to the ageing nobleman Bassanes. The result is that from the moment the play

### The Broken Heart Barbican Pit

begins, several members of the cast are looking worryingly like the characters in the last act of *Othello*. Penthea (Emma Fielding) is succumbing to a killer-blend of anorexia and insomnia, accelerated by the paranoia of Bassanes (Philip Voss), who is behaving more and more like one of the violently jealous old husbands created by a later 17th-century playwright, Molière. Meanwhile, Orgilus (Iain Glen) is becoming that familiar Jacobean or Caroline figure, the malcontent revenger. That is bad news for the Princess of Sparta (Olivia Williams). She is enamoured of Ithocles (Robert Bowman), who is clearly at the top of Orgilus's hit-list. There is more to the plot, but that should be enough for most people.

### especially as it is strongly played by Boyd's performers in their Van Dyck costumes. Glen's bony jawline twitches with suppressed outrage, and Voss catches the mixture of weakness and obsessive disquiet his role needs. But the pick of the cast is Fielding, a pale, still Penthea who gives you the feeling she only need pull a tiny pin to activate the grenade she has become. Blast off she does, too, in a splendid mad scene: but her finest moments come when she is sitting beside her brother and refusing so much as to look at him. What is he to do? "Pray kill me," she quietly answers, and means it.

Does Ford's handling of Penthea make *The Broken Heart* a better play than his incoherent *'Tis Pity*, as T.S. Eliot thought? For all its distractions and perplexities, it is certainly a powerful and intense treatment of the same theme, which is the battle of desire and impulse with honour, duty and other such 17th-century imperatives. There is a daring scene in which the Spartan princess keeps calmly dancing while she is successively given news of the deaths of her father, friend and lover. "Must have been very effective in the theatre," wrote Eliot, who never saw the play performed. He was right. It is.

Boyd gratuitously introduces the same motif elsewhere, combining charged dialogue with slow, sedate counterparts of Scottish reels or American square dances. That is to labour the idea of Spartan self-discipline a bit, but there are not many other weaknesses in his production. Apart from anything else, Ford's odd, colourful verse is lucidly and pointedly delivered, down to the rude lines directed at Bassanes's ancient maidservant: "hold your chops, nightmare," "old lady, hold up thy reverent snout and trot behind me." They don't write insults like that any more.

### OPERA: Rodney Milnes on a provocative staging of *Lohengrin* by Wagner's great-grandson

Gottfried Wagner's programme in Channel 4's "Wagnermania" week and his interview on this page caused little stir over here, but provoked a tetchy response in the *Frankfurter Allgemeine Zeitung*, whose correspondent was as much upset by the perhaps over-Nazified trailers for the TV series as by Gottfried's opinions, and republished British interviewers for believing him blindly.

This particular interviewer has no guilty conscience: the sort of uncomfortable home truths Gottfried aired about his family in general and his great-grandfather in particular, about their connections with Hitler, about the moribund state of the Bayreuth Festival, and about the anti-Semitism spilling over from Wagner's pseudo-philosophy into his operas, all constitute a nettle that has to be grasped.

Gottfried, then, is not the best-loved member of his family in Germany, and his new production of *Lohengrin* in Dessau will do nothing to increase his popularity with the Wagner Societies there. He sees the opera as a piece of

## Upstaged by history



"An off-centre concept": Gottfried Wagner's *Lohengrin*

proto-imperial military propaganda: its theme King Henry the Fowler's *Drang nach Osten* and the elimination of un-Christian hordes to be found there. The idea of Lohengrin as potential "saviour" is anathema to him in a century that has already seen rather too many saviours. To bolster this perhaps

The prelude to the opera accompanies a dumbshow of Ortrud and her Black Swans kidnapping Gottfried. All well and good, but unfortunately there is not enough music to show what happens next. Gottfried's re-kidnapping by the Knights of the Grail and subsequent brainwashing in Monsalvat — that we have to read about in the programme. Gottfried in person introduces Lohengrin to Brabant, and returns at the end to murder Ortrud, allow Elsa to impale herself on his sword, and lead the Brabantines on their imperial mission.

Unfortunately all this dramaturgic — extrapolated from post-history rather than the work itself — gets in the way of actual direction. The downstage area is too often surrendered to extras, with principals banished upstage and the chorus required to sing at them rather than the audience. This is not a singer-

friendly production, and awkward blocking betrays Gottfried's comparative lack of experience in opera (he directed three some years ago).

The Dessau theatre has the sort of traditional ensemble that used to flourish in Germany both east and west, presenting drama, opera and dance, and at that level fielded a worthy musical performance, thanks mainly to the experienced conductor Sieghard Renner, who led a smoothly lyrical, gently flowing account of the score that respected its status as a romantic opera rather more than the director did.

The one guest, the American soprano Therese Renick, made a spirited Ortrud, and Ludmil Kuntsevich was a fervent stand-and-deliver Tetramund. Björn Haugan almost miscalculated the audibility of his pianissimo, but it was good to hear the title role sung so sweetly. Ursula Prem, still in her twenties, has a beautifully fresh lyric soprano, but moments of strain suggested that Elsa is a formidable assignment for one so young — especially when having to sing so far upstage.

## Authentic note of caution

### CONCERT

Quatuor Mosaïques  
 St Leonard's Church,  
 Bridgnorth

Haydn Festival, which would be just about ideal for a modern-instrument quartet, is too big for an authentic fortissimo to register an authentic impact.

Actually, there is no fortissimo in Haydn's Op 33, No 3, the earliest work in the Bridgnorth programme, whereas there are quite a few in the same composer's Op 77, No 2. If there is a fault in the Mosaïques' period treatment of Haydn it is that they tend to

There is nothing at all questionable about authenticity in detail, in the application of observations and the adaptation of the phrasing in certain

manoeuvres of the earlier Quartet in C major was unfailingly convincing. Their interpretation of the F major Quartet, on the other hand, seemed unadventurous in comparison with the dramatically orientated construction of the work. It might have been a matter of a too spacious acoustic, or it could be something to do with the prim historian suppressing the instinctive musician.

It is a healthy and illuminating exercise to strip away the

than as we might imagine it to be. This the Quatuor Mosaïques most effectively illustrated in Mozart's Quartet in F, K590, where the supple viola playing and the lucidity of the inspired inner parts of the texture demonstrated just how Mozart solved the problem of having to make a special feature of the King of Prussia's cello.

On the other hand, it is hard to renounce the sentiment associated with the unfinished Quartet in D minor, Op 103. Haydn's heroic last effort in the medium. It is possibly not even authentic.

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## Life and times of the Colonel Blimp of English letters

Kingsley Amis is a Good Thing. Since he burst on to the scene with his novel *Lucky Jim* in January 1954, not a book that he has written has lacked sprightliness, originality and provocation.

Everyone has their favourites. One *Fal Englishman* cunningly lured the reader into smug, comforting anti-American attitudes, then showed them up for the nonsense that they were. *I Want It Now* is still a classic portrayal of the unscrupulousness of television interviewers. *Stanley and the Women* caused an enormous furore because of its harsh, jesting portraits of women. What passed largely unnoticed was its recognition of the intense need of men and women for each other. This story of open warfare between the sexes actually promotes a healing acceptance of their differences. William Pritchard puts it well in an article in the current *Hudson Review*: each of Amis's novels has been "a fresh entry into the English language and English humour".

Preentiousness and self-deception have always been Amis's

Derwent May

KINGSLEY AMIS  
A Biography  
By Eric Jacobs  
Hodder & Stoughton, £17.99

targets. In his early days, he found them mainly in the British (or Welsh) Establishment. The snobish, incompetent Professor Welch in *Lucky Jim* is still memorable. In this new biography of Amis, Eric Jacobs quotes a letter to Robert Conquest written the year after *Lucky Jim*, when Amis was planning to review Dylan Thomas's prose pieces for *The Spectator*: "The only honest way of doing it is to attack it... Someone ought to give Dylan a bouquet of old bogwort before long."

Bouquets of old bogwort have been handed out generously in the years since then, but the recipients in Amis's later years have more often been among the liberals or on the left. The first chapter of Jacobs's book is a sketch of Amis's daily routine nowadays: writing in

the morning, taking a taxi to the Garrick, drinking his favourite whisky in his established, rather exposed chair by the window in the bar, and ruthlessly repelling members whom he considers bores. ("In the Amis view, there is nothing to be said for giving a bore a second chance. 'Nice enough chap, but if you let him talk to you now he'll talk for an hour and a half next time.'")

In fact, at 73, Amis has become a kind of walking icon of political incorrectness. He will spend his lunchtimes keenly weighing up alternative readings of witty but obscure verses composed long ago by his close friend Philip Larkin; but his political judgments now, as Jacobs puts it, are "conservative, simple and blunt".



Amis with his second wife, Elizabeth Jane Howard

Yet it must not be forgotten that Amis has always been a great mimic. When he was an undergraduate at Oxford, his imitation of a Japanese soldier muttering a corpse and his "motor-bike-falling-to-start noise" were already famous. Jacobs rightly suggests that this image he presents of himself as "supreme clubman, boozier and

blimp" is a good deal less than the truth. Amis relishes the image "because he likes to present a challengingly clear-cut version of himself to the world and because he is confident there is more to him than the image allows".

Jacobs writes sympathetically and observantly about Amis. Yet the question remains, was this biography really worth doing? One problem is that Amis has already written his memoirs — not a connected account, just a series of comic and opinionated sketches, but essentially telling his story of boyhood in Norwood, Army, Oxford, teaching in Swansea and Cambridge, and then writing. Jacobs draws heavily both on the *Memoirs* and on Amis's latest autobiographical novel, *You Can't Do Both*.

He gives us some good quotations from Amis's letters, especially those he wrote to Robert Conquest and Larkin, but too often his own connecting passages are as uninformative as this one, about Amis in the Army: "He was soon immersed in that mixture of bull, boredom and hectic activity which distinguished every recruit's basic training."

A more serious matter is the treatment of Amis's private life, particularly his infidelities to his first wife, Hilary, and their effect on his children, and his relationship, ultimately disastrous, with his second wife, Elizabeth Jane Howard. The discussion of these events is inadequate and, what is worse, improper. Inadequate, because how can such turbulent emotions and complex moral issues be caught in sketchy summaries like these, however fairly written? Improper, because everyone concerned is still living, and the fact that Amis is a writer does not abolish their right to their privacy. Amis himself, as is his right, has helped Jacobs to write the book, without (we are assured) in any

way trying to influence it. But one wonders why he authorised it. Perhaps he saw it as a pre-emptive strike, remembering how feminists have savaged Ted Hughes for his relations with Sylvia Plath. However, it is not giving away any secrets to say that Amis is now living amicably in the same house as Hilary again, though on a totally different footing — she and her new husband, Lord Kilmarnock, have a flat in the basement, and she looks after Amis's domestic arrangements. This biography ends with a more or less plain statement that Amis feels he treated Hilary badly in the past.

But can Amis really have wanted such a delicate subject spelt out like this by someone else in a "stilted" life? To my mind, he would have done better just to leave it at the touching poem dedicated to Hilary that he printed on the last page of his *Memoirs*, a writer's reminiscent tribute to "someone harmless, someone defenceless... awkward, gentle, healthy, straight-backed". In fact, to another, rather different Good Thing.

## Comedian in an age of anxiety

Vulgar reviewers, and sometimes even her readers, are apt to agree that Anita Brookner's novels are beautifully done but always the same. Nothing could be further from the truth. Like the great Barbara Pym, about whom the same things used to be said, she immerses herself in a seeming monotony in order to explore — fastidiously in her case — the innumerable shades of possibility that exist in the most banal romantic situations. And, like Chekhov, she is in her quiet way a great comedian.

Her latest novel, one of her very best, exemplifies this. It begins with an unknown narrator remembering her mother, a Frenchwoman who married and lived in England. As wife and mother she was dignified, punctilious and loyal. Sad too, with a sadness that went with her other kinds of decorum. After her parents' death, the narrator, who sardonically describes herself as "unreliable", finds a notebook with a few cryptic words in it. One word is "sang". Also the first sentence of Proust: "Longtemps, je me suis couché de bonne heure."

Oh yes, a calm and dignified mother with a secret and tragic passion behind her — could anything be more stereotypical? And, of course, here it isn't. However apparently similar, it is totally different, in identification and feeling, from any other novel by Brookner, or anyone else. By being so used and so obvious it becomes completely its own thing, which is the Brookner paradox. She can turn a cliché, character and situation into something that is not only true, but of the most subtle personal and moral interest.

John Bayley pays tribute to Anita Brookner's ability to turn ordinary situations into extraordinary ones

And it is all done so unobtrusively. The quiet joke is that the woman's daughter, the narrator, never finds out any more — there is no way she can do so — so that the novel is the fantasy she herself makes up: a reverie about her mother, whose reality is all the greater because it arises from family closeness, and the inwardness of family understanding with a mother who read a lot, sighed a lot, and went to bed early.

"Above all I was intrigued by the word sang. What had blood to do with my mother's distant and uncommunicative life? We had, as far as I could see, little in common: in fact I may even have removed myself deliberately from her infinite discretion, as did my father. Like my father I found her apparent serenity irritating, yet I have reached the age when a woman begins to perceive that she is growing into the person she least plans to resemble: her mother."

Such a passage breathes Brookner's quiet disincarnation to trundle to the anxious literary manners of the contemporary novel. Her prose calmly isolates an area for clinical examination: and the Brookner paradox ensures that the banalities of family inwardness will in the course of her pages become sharply intriguing, humorously profound. The mother's husband

comes from a family at Eastbourne which in its own English way is equally closed-up, but whose closeness is cemented by "the caretaking properties of advanced wife-manship", and illustrated by remarks like: "I'm afraid my husband can't eat anything fried."

Jane Austen would have enjoyed the gentle savagery of this French-English bourgeois contrast; but it lies on the periphery of the real theme, which from a literary point of view is purely classic.

INCIDENTS IN THE RUE LAUGIER  
By Anita Brookner  
Jonathan Cape, £14.99

French: the overwhelming authenticity of physical passion. Maud Gouzier, the quiet heroine from Dijon, encounters the ruthless Tyler, a tall rich young man of immense attractiveness, just down from Cambridge. Instant seduction, and immediate disappearance of the impervious Tyler, leaving Maud (by now pregnant) on the hands of his diffident young friend Edward Harrison, who can think of no other way of saving the situation than by offering marriage. Maud has no feeling at all for Edward, who owns a second-hand bookshop in London, but she is a French girl of 40-odd years ago, whose own mother — widowed and poor — is anxious to get her settled.

Although a young man, Edward is not so unlike the retired hero of Anita Brookner's last novel, *A Private*

View, in that he has desires to live, travel, even to love; ambitions which temperament and circumstances between them are not likely to allow. The subtlety of the story lies not in his relations with his involuntary wife, who goes to bed early, and whose life has been similarly ended, but by discovering what the real thing is, and then having it taken away. She does meet Tyler again, at the marriage in France of her cousin. He tempts her and she is tempted — she might have gone off with him if he had asked her — but of course he does not: and the idea of a repeat seduction revolts her. When he comes confidently to her hotel it is to find she has flown back to London.

Just as she follows the patterns of classic literature — from Racine, Pushkin's *Eugene Onegin* — so Brookner employs the simple classic and Jamesian device of endowing her not very remarkable characters with an exact sensibility, and an awareness of things. Not to put too fine a point upon it, she takes over the promising ones — the helpless, the defeated, the dumbly acquiescent — while leaving the bad boys, and some girls too, to stew in their own juice. She is far too skilful a writer not to make plain the villain's charm, but we see nothing of what, if anything, he himself feels about things. In life the defeated, even the virtuous, may be similarly dull, without feeling, without sensibility; but Anita Brookner is always well aware what concessions life has to make to literature, if literature is to investigate the nature of life. And, as Henry James explained, art makes life.



Anita Brookner: knows what concessions life must make to literature, if literature is to investigate the nature of life

## The gilder of epistolary pleasures

"The big bow-wow strain I can do myself like any new going," Sir Walter Scott noted in his diary in 1826, "but the exquisite touch which renders ordinary commonplace things and characters interesting, from the truth of the description and the sentiment, is denied to me. What a pity such a gifted creature died so early!"

The gifted creature in question had been carried off nine years previously by what is now known as Addison's disease. Scott's judgment was a perceptive one, both about his own strengths and about Jane Austen's. It was prompted by a rereading of *Pride and Prejudice*, but the same "exquisite touch" may equally be discerned in her correspondence, now re-edited by Deirdre Le Faye.

The letters have not always been admired — "a desert of trivialities punctuated by occasional oases of clever malice", wrote one bilious 1920s critic. Their first editor, R.W. Chapman, allowed that they were unstudied and inconsequent, that they lacked coherence and were concerned almost exclusively with the small change of her life. Which is, of course, an

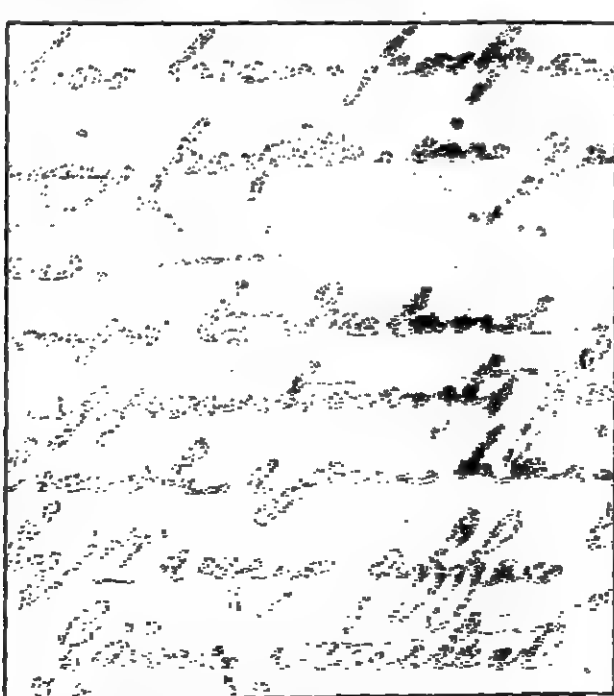
Ian McIntyre

JANE AUSTEN'S LETTERS  
Edited by Deirdre Le Faye  
OUP, £30

agreeably unassertive way of saying that in her letters, as in her novels, Jane Austen had a genius for the particular.

The charge of malice does not sound up, although she can be agreeably asstringent. To her sister Cassandra she discourses on Mr Husket, Lord Lansdowne's resident artist: "Domestic Painter I shd call him, for he lives in the Castle — Domestic Chaplains have given way to this more necessary office, & I suppose whenever the Walls want no touching up, he is employed about my Lady's face". She was, as David Cecil said, relentlessly anti-sentimental: "Mrs Hall of Sherbourne was brought to bed yesterday of a dead child, some weeks before she expected, owing to a fright. I suppose she happened unaware to look at her husband."

Some of the best letters are to her brother's children. "My dearest Fanny," she writes to a niece who is in two minds about a suitor, "I cannot bear you should be unhappy about him. Think of his Principles, think of his Father's objection, of want of Money, of a coarse Mother, of Brothers and Sisters like horses, of sheets sewn



Detail of an 1813 letter by Jane to her brother Frank

Deirdre Le Faye characterises the letters to Cassandra as "hasty and elliptical" — the equivalent of telephone calls. So they are, but on almost every page there are fragments of spontaneous observation and characterisation which are every bit as good as the novels. "A Widow with 3 children has no right to look higher than his daughter's Governess." "Mrs Powlett was at once expensively and nakedly dressed." "To be rational in anything is great praise, especially in the ignorant class

not imagine how a man can have the impudence to come into a Family party for three days, where he is quite a stranger, unless he knows himself to be agreeable on undoubted authority."

The Prince Regent was a great admirer of the novels, and there is an entertaining exchange of letters with his librarian, a dry old stick of a clergyman who took to offering Jane improbable subjects for her pen — an historical romance based on the house of Saxe-Coburg, he suggested,

managed — just — to contain her satirical instincts: "I could not sit seriously down to write a serious Romance under any other motive than to save my Life," she told him, "if it were indispensable for me to keep it up & never relax into laughing at myself or other people, I am sure I should be hung before I had finished the first Chapter. — No — I must keep to my own style & go on in my own way."

I have been remarked how little the letters say about the momentous events that stirred the Europe of her day, but the evidence is she was perfectly at ease with what went on in the greater world. In 1809, for instance, she was notably unmoved by the wave of patriotic fervour that swept the country on the death of Sir John Moore at Corunna: "I wish Sir John had united something of the Christian with the Hero in his death," she observed tartly to Cassandra.

She also had clear views about the royal soap opera of the day. "Poor Woman," she wrote about the Princess of Wales, "I shall support her as long as I can, because she is a woman, & because I hate her Husband — but I can hardly forgive her for calling herself 'attached & affectionate' to a Man whom she must detest."

Cassandra outlived her sister by 28 years. "She was the sun of my life," she told Fanny, "the gilder of every pleasure. To dip into these delightful

JENNY Diski is a figure very much of our place and time. Whittily bleak or elegantly strange, these stories assume a world where sex is intense, and marriage unlikely to lead to happiness. So the fairy story (though those included in this collection are clever) is not her natural form: what makes her such an engaging writer is the particularity of the contemporary world she inhabits so knowingly.

Diski likes to pinpoint that floating anxiety which can attach itself to anything available — money, sex, shopping, the daily news, the condition of my flat. There is perhaps a sense that having an outward reason for a habit of anguish is something of a relief.

The jealous wife in *Short Circuit* cannot resist questioning her partner about his movements. For instance, knowing that for all his saintly patience it can only be a matter of time before he is unfaithful if she continues to question him when he is innocent. "And now she realised suddenly that part of her wished he would. Get it over with. Push him just that bit further, and she wouldn't have to worry about his future, it would be a thing of the past."

It is unsurprising that her narrators look nervy. In *My Brother Stanley*, her narrator recognises her own facial lines in a portrait of a half-brother, she has never known, and reflects "people have always told me to cheer up, even when I feel fine".

Yet these stories are a joy to read. Diski is a crafty artist, who knows how to control the expectations of her reader to a nicety. When you finish *Leaves*

## Habits of the floating lover

Elaine Feinstein

THE VANISHING PRINCESS  
By Jenny Diski  
Weidenfeld & Nicholson, £9.99 paperback original

should have been no surprise: but Diski writes so compellingly about the panic and isolation of life as a writer that we attend too closely to the local texture for the story's impact to depend on its outcome.

In the same way, the title of *The Floating Mat* suggests a likely end from the very opening, but we are offered so many intriguing speculations that we are tricked into forgetting our predictions. As a girl enjoys the sensation of floating on a mat in the Caribbean, she is reminded of how rarely she has chosen any pleasure for herself. She didn't buy a colour television until she was the only person she knew who didn't have a video recorder; not because she didn't want a set, but because she doesn't feel entitled to have what she wants, since she doesn't feel grown up enough to choose for herself. Even her husband is

simply the one who came along when there was no press of others. The sharpest part of the story is an account of her husband's grotesque heartiness with a Frisbee after being caught out in a piece of petty bullying.

Diski writes brilliantly about desire and about sex raised to an extremity of sensation by perversity. Few writers, even in an age so obsessed with sexuality, can write with a higher erotic charge. About emotions, as opposed to sensations, she is cooler. Though many of her voices tell painful stories, all are tough enough to accept suffering with irony. What shocks is the detail: a school-girl who asks whether the 18th century came before or after the war, or the loftily sophisticated daughter, happy to chat airily about blow-jobs until she has to imagine her mother engaging in such an activity.

NOTHING in her fairy-tales can hit as hard as this, but there is a charming absurdity about the princesses in their towers, waiting for something to happen to them in the passive fashion of a lost age: one has no knowledge of her own existence until a soldier shows her a reflection in a mirror, and so is extremely vulnerable to distortions of that image. Another, never to be discovered in her tower, ages alongside a kitten. When the animal dies and is replaced by whatever mysterious presences there are who provide for the princess's needs, she reflects in the authentic Diski voice: "So she thought, Dina had died, and now there's another cat. What

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ers

Robert Skidelsky is gripped by the personal drama of Margaret Thatcher's early career

# Grantham girl turns the tables

In this measured successor to *The Downing Street Years*, Margaret Thatcher recounts her early social, political and intellectual development, her growing disillusionment with Heathite corporatism and her preparation for power. There is an impressive, well-researched section on future policies, national and global: the product of a mature and reflective mind. It has been widely suggested that this was inserted at the last moment to spice up an otherwise dull book, and embarrass her successor. This is nonsense. The book is not dull, and the final section was planned before the first volume appeared.

None of the Thatcherite memorialists is a great writer; the lady herself is no exception. None can rival Roy Jenkins, for example, in wit and elegance. But they were attempting great deeds, and this invests even the flattest of narratives — and none could be flatter than Geoffrey Howe's

with a sense of excitement and drama. Lady Thatcher writes with lucidity and economy, and the stirring events carry the reader along. For once the blur is right: this volume is more gripping than its predecessor, because the drama is more personal. It is not the "Iron Lady" beset with the problems of government that we meet here, but a vulnerable woman striving for mastery in a male world, and only slowly acquiring, with much help, the clarity of vision and firmness of resolve to make her revolution. Reading it one understands better how she rose, dominated, fell — and survives.

The book confirms much of what we already know about her. She was, to an unusual extent, all of a piece, made of granite. Except possibly for her voice, there is nothing fake about her. What she lacked in her early years was the intellectual confidence to go against the collectivist current. Her mentor Keith Joseph acquired the desperate courage of the convert. Thatcher simply acquired the arguments to back her instincts. Her own mind was neither brilliant nor particularly orderly (contrary to received wisdom), but it was relentlessly probing. She does not bore you, she bores into you. She had an eye for detail and worked incessantly. It was this combination of sturdiness and mental restlessness, plus a superb sense of timing, which made her such a formidable politician.

More revealing is her capacity for hurt. She was devastated by press

attacks on her as the "milk snatcher" when, as Secretary of State for Education, she allowed local authorities to charge for school milk; and again when the Heathites started a press campaign against her during the leadership election of 1975 for "hoarding food". She survived only with the "love and support" of her husband, Denis.

If motherhood was her vocation, politics was her passion. Politics was not the "great game", with power as the glittering prize, fought by men, nor did she ever conceal her convictions with a light touch. It was a grim fight for the survival of an endangered species — her own.

She would not deny that she is a product of her background: of her shopkeeping parents, of Methodism, of Grantham, where she grew up. Her England was that of the lower middle class, chapel and trade, with neither the guilt of the rich nor the resentments of the poor. It was small-

town and small business, anxious lest prosperity should rob people of their self-reliance. She sprang from the sturdy, not the appealing Right. Here, she believed, was the class which made England great.

And her parents embodied the finest virtues of this class. They were "practical, serious and intensely religious". Individual responsibility was her father's watchword, sound finance his passion. He regarded Toryism as the heir of classical liberalism: unlike many Methodists he remained faithful to the evangelised capitalism of the 19th century, and so did his daughter. In the Roberts' household everything was constantly cleaned, nothing was wasted, they lived within their means. The things she remembers are the lodestars which guided her: "Never do things because other people do them," her father told her. "Always go for quality within your income," said her headmistress. "It is always the few who save the many," said her Congregationalist minister, echoing Winston Churchill. What struck her as a child about unemployment was not its misery, but the self-sacrifice of parents on the dole to keep their children apart. The view from Grantham was hard and narrow, but from where else could renewal have come? The governing class was effete, the workers' state an illusion. And though Thatcher was formed by her background, she was not trapped by it. As she grew older her instincts were generalised, and her sym-

thies and tastes expanded with her husband's income. Her account of her political rise confirms the limits of the postwar "consensus". In the 1950s she could readily support the Tories' gradual dismantling of the socialist controls established in the 1940s. It was Macmillan's drift to conservatism in the 1960s, as well as Conservative acquiescence in "permissiveness" which, in her view, set the leadership at odds with the Conservative rank and file. But she could not champion their "instincts and aspirations", which she shared, with the intellectual tools of the day. She needed others to map the escape route. Enoch Powell's insistence that inflation had monetary causes, Keith Joseph's demolition of incomes policies (all they did, she succinctly observes, was to "redistribute inflation over time"), Hayek's concept of the "rule of law" — these were the milestones in her emancipation from collectivism. (Significantly, there was no comparable critique of welfarism: this helps to



The Good Samaritan who had money as well: Denis and Margaret Thatcher at their wedding in 1951

explain the hesitant social policy of her Governments, in contrast to their decisive economic policies.)

The miserable experience of Heath's Government of 1970 to 1974 destroyed what remained of the postwar settlement. Heath carried corporatism to its furthest point in peacetime Britain, reversing the Conservative election promises. His policies failed disastrously. The Conservatives lost office and he was replaced as leader by Thatcher. As the Thatchers later interpreted it, it was his distaste for fundamental analysis which, paradoxically, left the masterful Heath at the mercy of events. There is, of course, a great deal of truth in this, though she is generous in her judgments of Heath. As Secretary of State for Education, Thatcher kept her head down. She closed more grammar schools than any other Education Minister, but argues convincingly that she had no power to resist the tide of the comprehensive revolution, still flowing strongly. When she announced a

large spending programme, *The Guardian* praised her for going "half way towards a respectable Socialist educational policy". Only gradually did she realise that increased "inputs" into education were no guarantee of improved "outputs".

Perhaps the most valuable service this volume renders is to expose the roots of Thatcher's hostility to the project of European Union. Macmillan and Heath saw the European Community as a way of projecting British power. But for Thatcher, who like Hayek, saw no crucial distinction between the varieties of collectivism and nationalism — full-blooded red or black, pale pink or grey — it was far better to be linked to a liberal United States, than to be locked into a corporatist, neo-mercantilist European bloc. It was not the defence of narrow British interests, but the nature of British and world society that she was, and is, really concerned with. The passion and lucidity of her position has made Europe the central fault-line in the Conservative Party.

## A labour of love for a lost people

He says you have great luck that he, the last, the only one who still lives of those who saw those terrible things, is still here. And he says you are the first to come and see him." These were the parting words of the vet's wife, Mrs Z, to Theo Richmond on his visit to Konin, the small Polish town from which his family came.

For Richmond's book is not about atrocities. Though his anger at the fate of the Jews of Konin is in no doubt, it is carefully controlled. This is a book of love, love for a people, a way of life, a world, which has been summarily destroyed, but which, with careful, painstaking interviewing, record-reading, and piecing together, he has managed to recreate in extraordinary, and gripping, detail.

We can smell the smells of Konin's Tepper Markt, the Jewish area's market and centre, the pickled herring and the cucumbers, the sweetened bread; we can hear the silence that fell from sundown on Friday to sundown on Saturday as the whole community observed the Sabbath. We can see the overcrowded homes, where families of six or eight lived crowded together in two rooms. We can see the Jews in their long jackets, where a short coat was a sign of assimilation.

Richmond has drawn a map, pieced together from memories and records. All this is recorded here, with conversations almost spelt out word by word. Through memories of the few alive, in Britain, America, Israel, even Poland, we can almost

hear people's voices speaking Yiddish (the men) and Polish (the women). We learn how they lived and brought their children up, what wealth was (enough to have a proper meal with fish on the Sabbath) and, to us perhaps unexpected, the pleasure so many had in the plains of the Polish landscape.

No other volumes recording those who perished have attempted to record a vanished world like this, with people's different attitudes — the Zionists, the Buddhists, the assimilated, the wealthy, the poor, the religious, those who broke away and ate on Yom Kippur. We can hear the debates; we learn what made a whole community function; we discover their pride in their communal library — the best in Poland, in their view.

This is without doubt a memorial volume — but it is a memorial to people Theo Richmond never knew, written through the eyes and letters of people he mostly did not know either. Many helped him. Some must have been impatient with his nagging for a piece of Yiddish, Polish or Hebrew translation. But, by travelling widely, he has reclaimed a piece of the past.

These people live for us on the page. Their emotions become our emotions. That is why the end is in a way so terrible, as we discover the significance of the "Protokol". For it marked the end of a millennium of German, Polish and Jewish coexistence, albeit often uneasy.

Those who survived do not live in Konin any longer. One cannot feel their presence there. But they are remembered in Theo Richmond's heart, the Rydzka heart, a tribute to his ancestors. Now they are also remembered, and recreated in the pages of this extraordinary book. It engages our full attention. Here dead people live and breathe and speak to us, as if they were our neighbours. This is not only a masterpiece of recording, but also a gift of gratitude to a family he adored.

Julia Neuberger

KONIN  
A Quest  
By Theo Richmond  
Jonathan Cape, £18

## A tale of two great tykes

By a curious coincidence, Britain's two most celebrated 20th-century sculptors sprang from the same patch of industrial Yorkshire at roughly the same time. There were some differences in their backgrounds: Henry Moore was the son of a miner and Barbara Hepworth's father was County Surveyor for the West Riding. But the parallels were more striking. Both made their way by scholarships to the Leeds Art School, then to the Royal College of Art, and finally to Italy, both came to personify aspects of the modern movement, both acknowledged the powerful influence of the Yorkshire landscape upon their work.

As this first full biography of Hepworth makes clear, the inevitable rivalry between the two was often painful to her. It was hard for her to escape from Moore's shadow. She also felt with some bitterness that her sculpture was undervalued simply because she was a woman. Though he was five years her senior, she and Moore were fellow-students, his arrival at art school having been delayed by war service; and as a confident, vigorous ex-soldier he became something of a guide and mentor to the earnest girl fresh from school. But there was always an element of competition in their relationship. This was not something either of them much enjoyed and in later years they maintained a polite but distant friendship. When they had nearby studios in Hampstead in the 1930s, it is said that after seeing one another's work, each would be studiously noncommittal, saying something like "It's a nice piece of stone".

Barbara Hepworth added exceptional singleness of purpose to her artistic talents. Her iron will led her to subordinate everything else in her life to her unswerving dedication to sculpture. She had two artist husbands, John Skeaping and Ben Nicholson, and they both left her. She had a son by the



Wholly absorbed: a late portrait of Barbara Hepworth in her studio, by J.S. Lewinski

J.W.M. Thompson

BARBARA  
HEPWORTH  
A Life of Forms  
By Sally Festing  
Viking, £20

first and triplets by the second, and clearly relations with them were not always successful either. She isolated herself for long hours at her work place in St Ives, where she settled in 1939: a slight, intense figure wholly absorbed in the carving in progress.

Her determined concentration led some to call her "ruthless". Sally Festing argues that this did not mean that she lacked compassion but that she swept away other considerations in the interest of what she thought most important. And nothing seems to have been as important to her as her work and her art.

Her achievement was impressive and not to be discounted because of Moore. Their talents were of different kinds, hers austere and classical, his rooted in the landscape and the human figure. She took great satisfaction in her gradual development of an international reputation and the affluence it brought her. This did not come to her readily, and for years she received a weekly cheque from her father. Her nature was such that all too often she found a grain of disappointment within her successes. Although in later years she was rich and famous (when she died in 1975 her estate was £2,638,424), it ranked that Moore had gained far more fame and a far greater fortune.

She thought she was being victimised as a woman because she was only made a Dame, where Moore and Ben Nicholson were both appointed the Order of Merit.

Festing is a great admirer of Hepworth but she is also thoroughly candid about her. She has not had access to the Hepworth archives, but has been diligent in seeking information from many sources, most notably those who knew her subject.

The official biography is being written by Sir Alan Bowness. It will be interesting to see how his version compares with this one, since he will approach from a different angle; after leaving the Tate he became director of the Henry Moore Foundation and also happens to have married one of Barbara Hepworth's daughters.

The portrait the present book offers is of a woman who made many sacrifices in the service of her own talent and suffered loneliness and a great sense of loss as a result. On the other hand, she did exactly what she wanted to do.

## It was their finest hour too

THE RECENT anniversary celebrations of the end of the Second World War were joyous but, like the end of the war itself, tinged with bitterness at the disappointing rewards of peace. Imagine what it must have felt like for those who, having fought the longest, found themselves at the end of the war as penniless exiles.

Every Pole in Britain sooner or later hears from the natives about the magnificent exploits of Polish pilots in the Battle of Britain. In particular, I have noticed that their mention brings a certain look of yearning to the eyes of the British women of the war generation. But one always wonders whether the British quite realise where those men had come from and what happened to them once the war was over.

Adam Zamoyski's *The Forgotten Few* at last brings their story to life. After a gallant but doomed effort in September 1939, most of the Polish Air Force escaped via Romania, the Middle East, even Casablanca and Brazil. Despairing of the French who to fight, the Poles came into their own only in Britain, where they arrived in the nick of time. In 1940, the British were 450 pilots short and needed 300 replacements per month. So, one in five of RAF planes defending London during the Battle of Britain was manned by a Pole. As Air Marshal Lord Dowding — not a man given to overstatement — was to put it afterwards, had it not been for the Poles, "I hesitate to say that the outcome of the battle would have been the same".

Zamoyski handles the story with the verve and wit we have come to expect of him. He picks several persistent myths. For example, the Poles were supposed to be idiotically brave, throwing themselves into hopeless situations irrespective of the odds. In fact, Zamoyski shows convincingly that Polish losses were smaller per German aircraft shot down than British ones were. What the myth portrayed as a pointless bravado, British colleagues who actually flew with the Poles acknowledged to be a quickness of mind and an impetus which contributed to their higher than average scores.

The historical narrative is authoritative and lucid but the part of the book which I like best is Zamoyski's portrayal of the hilarious clashes between Polish and British cultures. The Poles learn to respect British steadiness and efficiency but also find themselves having to eat British "sausages", abide by the King's regulations, and laugh at British jokes. The British, on the other hand, are astonished to find that you can run a disciplined unit without patronising the lower ranks.

Zamoyski tells how, at the height of the Battle of Britain, a Polish pilot parachuted into a county tennis club and the members debated whether he could — without the due process of introduction — be drafted into a game of doubles. This tale deserves to enter into British, as well as Polish, folklore.

You will laugh throughout this book, until the end, when reflecting on how little reward all their heroism brought the pilots and their cause may bring you, too, close to tears.

Radek Sikorski

THE FORGOTTEN  
FEW  
The Polish  
Air Force  
in the Second  
World War  
By Adam Zamoyski  
John Murray, £19.99

### THE TIMES DILLONS FORUM

in association with the Social Market Foundation

## The road from serfdom

'The politics and economics of post-communism' — an evening of discussion with Robert Skidelsky



THE challenges which face the post-communist world will be discussed by Robert Skidelsky at a Times/Dillons forum on Tuesday, June 27. He will explore the themes raised in his latest book, *The World After Communism*, in which he charts the rise and fall of collectivism and outlines a strategy to prevent its re-emergence.

The key, Lord Skidelsky argues, is to develop a new "constitution of liberty", one which recognises the need for the state to offer a secure framework for markets, but one which also limits the ambitions of the state to those tasks for which people

are prepared to pay in common. Chaired by Daniel Johnson, literary editor of *The Times*, the forum will be held at Church House, Great Smith Street, Westminster, London SW1 on Tuesday, June 27 at 7.30 pm. Tickets at £10 each (concessions £7.50), which includes £2 off the price of Lord Skidelsky's book, are available by calling 0171-636 3435 ext. 240, by faxing the coupon below to 0171-580 7680, or by sending the coupon, with your remittance, to Dillons the Bookstore, 62 Gower Street, London WC1, where tickets can also be purchased in person.



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Two brothers whose elderly parents died from carbon monoxide poisoning while on holiday in Tenerife last year could be close to success in their campaign to improve safety standards throughout Europe's holiday resorts.

Ken and Eugene Tansey have devoted themselves to a campaign to persuade EU members to introduce a single standard for gas boilers and heating equipment in holiday accommodation and to create an independent safety inspectorate. Last week Eugene, a 35-year-old recruitment consultant from Manchester, and his Dublin-based brother Ken, were given more than an hour to argue their case before

the EU's Committee on Petitions in Brussels.

The Tanseys seem finally to have moved bureaucratic hearts. Equally effective pressure has come from Britain's tour operators.

The Federation of Tour Operators has lobbied the EU, national governments, local tourist authorities, and individual hotel and apartment owners to improve standards and has threatened to withdraw business from any accommodation which does not meet the criteria. Now, it believes, the EU may be

ready to introduce legislation on fire safety throughout the Community. At present there is only a European "recommendation" on standards and individual countries vary in their willingness to enforce it.

The FTO set up a safety committee after lawyers advised that under the EU's package travel regulations



The Travel Business  
HARVEY ELLIOTT

of January 1993, the tour operator is responsible for the safety of his customers. Should someone sue for damages and win, say the lawyers, that could wipe out the thin profits operators are struggling to maintain.

The FTO has also introduced a "safety roadshow" to tour popular holiday resorts and explain to

hoteliers, tourism officials, local councillors and others what needs to be done to improve safety. A video film used during the roadshow covers fire prevention, swimming pools and gas appliances, among other topics. Those opposed to more legislation point out that many more people die in their own country from accidents at home than they do when on holiday, that the statistical probability of an accident happening abroad is tiny, that more red tape could push up holiday prices, and that costly new regulations

could force many small family-run "bed and breakfast" places to close. Of the 32 million Britons who went on holiday in the past three years, only one died in a fire accident. This compares with some 60 people who are killed in hotel and guest-house fires each year in Britain, they say, arguing that a European-wide ruling would hurt the British tourism industry much more than that of many other countries.

The arguments do not impress Ken and Eugene Tansey who insist that nothing was done — and still little is being done — to prevent the kind of foreseeable and avoidable holiday accident which killed their

## Brothers fight for safer holidays

As ferry operators dispute the figures for cars using the Channel Tunnel, more plane passengers are ready to switch

## Channel fares cut

By STEVE KEENAN

FERRY companies are discrediting claims by Le Shuttle that it has captured 30 per cent of cars on the Dover-Calais route.

The shareholders of Eurotunnel were told last week that the car-carrying Le Shuttle service had increased its market share to 30 per cent from the 20 per cent it recorded in the first quarter of 1995.

The meeting also heard the passenger-only Eurostar rail service is increasing departures from London to Paris and Brussels to 15 a day from July 2.

But while Eurostar is undoubtedly the star in Eurotunnel's crown, the ferries dispute that Le Shuttle is making the same impact. "Its market share hasn't improved. It was only slightly up on some dates," said Brian Langford, the marketing director of P&O European Ferries.

P&O said Le Shuttle carried 81,138 cars in May on Dover-Calais, 25.4 per cent of the market. P&O carried 147,326 in the same month on the same route, a 46 per cent share of the route.

According to P&O, it still takes 43 per cent of cross-Channel passengers, with Stena-Sealink on 18 per cent and Le Shuttle on 9 per cent.

Stena also attacked Le Shuttle's claim. "The tunnel is not seriously eroding our business. At peak times we are

holding our own," a spokesman said.

The fight for market share has already seen skirmishes. The company most under threat, Hoverspeed, has cut more than 50 per cent from the price of crossings to France.

It is offering prices for a car and five passengers for £149 on crossings from Dover to Calais, compared with a top brochure price of £327. It has also cut the cost of a Folkestone-Boulogne crossing by a third, from £149 to £99. Meanwhile, Stena Sealink is offering 20 per cent off fares on the Newhaven-Dieppe route.

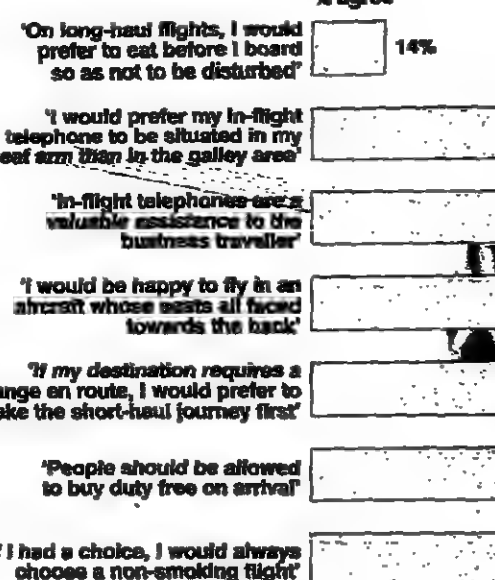
Hoverspeed denied that its price-cutting was a panic response. "These are promotional fares, while our big sellers have been standard and five-day returns, which heavily outweigh the promotions," said the marketing manager, John Smith.

P&O, however, accused Hoverspeed of being the first ferry company to break ranks by offering "serious discounting" on its advertised fares.

Mr Langford said his company was unlikely to respond, with Hoverspeed having only 2 per cent share of the Channel market, compared with P&O's 43 per cent.

He added: "Hoverspeed is a niche operator. We see what the competition is doing, but more important to us is Stena or the tunnel. We have no plans to drop peak prices."

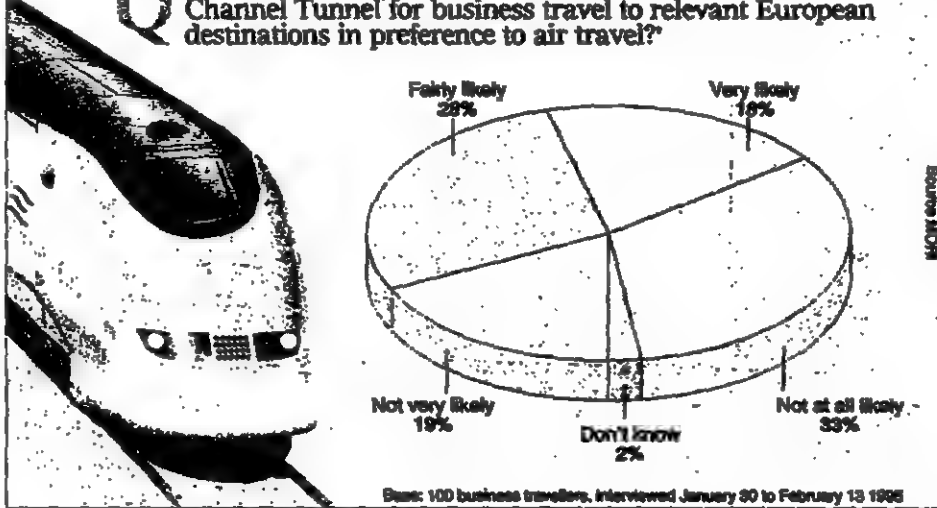
### BUSINESS FLYERS PREFERENCES



Base: 100 business travellers, interviewed January 30 to February 13 1995

### LIKELIHOOD OF USING THE CHANNEL TUNNEL

Now that it is open, how likely is it that you will use the Channel Tunnel for business travel to relevant European destinations in preference to air travel?



Base: 100 business travellers, interviewed January 30 to February 13 1995

## Tunnel gets thumbs-up from air travellers

By HARVEY ELLIOTT

ALMOST half of business travellers are happy to use the Channel Tunnel — provided they can reach it easily from their homes.

According to a MORI survey carried out for Carson Wagonlit Travel (illustrated left), 46 per cent of them are very likely or fairly likely to use the tunnel in preference to air travel, compared with 52 per cent who are not very likely or not at all likely to do so.

Those who will not use the tunnel say that they either live too far away, or their local airport is easier to get to.

The survey also reveals that the squeeze on business-class travel is finally being eased as companies call a halt to the drive to downgrade executives into ever-cheaper airline seats.

Well over 80 per cent of travellers are no longer being asked to reduce their class of travel. A big gulf has emerged between people whose travel has been arranged by their company and those who make their own arrangements. Almost 70 per cent of those who travelled on a company ticket felt that the benefits from frequent-flyer schemes should go to them and not to their employer. More than half of directors and senior managers said the benefits should be payable to the company and only 30 per cent believed they should go to the individual traveller.

The survey, which was carried out in early February, showed that 30 per cent of regular travellers use business class on short-haul journeys, compared with 61 per cent on long-haul travel. Only 1 per cent used first class.

More than half (51 per cent) of those who travel by air would be happy to fly in seats which face backwards rather than forwards, as in existing aircraft. The same number want telephones to be available during the flight, preferably in the arm rest.

The vast majority (86 per cent) would choose a non-smoking flight, and 81 per cent of all business travellers believe that they should be allowed to buy duty-free on arrival, rather than just on departure or in the air.

Choices of airline are directed mainly by the timing of the flights, followed by the price of a ticket. The airport which frequent flyers choose to use is dictated by its nearness to their home. Worringly for the airlines which are now offering ever-more-generous frequent-flyer bonus points, only 38 per cent of respondents said that they had redeemed their points within the past 12 months. Of those that had, 88 per cent had taken free flights. If the 62 per cent of frequent flyers who are still holding on to millions more all cashed them in at the same time, few airlines could survive.

## A Swiss bargain

LOW-COST flights to Zurich without the usual weekend-stay restriction are available from London-based Plus Travel on daily charter services departing London Gatwick. Cost: £155 return, including tax. Details: 0171-259 0199.

IT IS now possible to book rail tickets between London and Amsterdam using the high-speed Eurostar train service as far as Brussels. Fares start at £95. Details: 0171-387 0444.

ALITALIA has launched a Gatwick-Rome service with a daily flight departing at 1.45pm and arriving in Rome at 5.05pm with an introductory fare of £150 return. Details: 0171-602 7111.

BRITISH Airways has brought back its Super-saver between Heathrow and Edinburgh, Glasgow or Newcastle. The £75 return fare for Edinburgh or Glasgow (£69 for Newcastle) is valid on a limited number of flights. A Saturday night stay is required.

AIR Miles holders need fewer miles when booking GB Airways route between Gatwick and Murcia, Spain. Normally you would need to redeem 1,850 miles for a return but, until July 22, only 925 miles are needed. Details: 01293 511806.

BRITISH Midland is the first carrier to provide leisure and business travellers with "open jaw" (fly to one city and return from another) ticketing arrangements to Ireland. For example, you can fly from Heathrow to Dublin and return from Belfast, or vice versa. Return fares start at £68. Details: 0345 554554.

DEPART Manchester for Johannesburg before June 23 and qualify for a special £450 return fare with the Belgian airline Sabena. Details from Dawson & Sanderson: 0161-228 1833.

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## The twin-jet 777 seems ideal for charter flights, but it will be a long time before it comes into wide use

Package holidaymakers will have to wait until the next century before they can fly in the Boeing 777 twin-jet which began regular scheduled services from Heathrow yesterday.

Britain's charter airlines will be watching closely how the latest product of Boeing's Seattle factory performs for scheduled airlines such as United Airlines and British Airways, but they are unlikely to want such a big jet in their fleets for many years.

The 777 - which costs at least £75 million - carries up to 292 United passengers between Heathrow and Washington. Business-class legroom is stretched to 49in, compared with 40in on most existing scheduled business services. BA, which takes delivery of the first of its £2 billion fleet of 777s in September, will fit 303 seats. The growing number of scheduled airlines prepared to buy the jet are aiming to operate with around 350.

Charter carriers could easily carry at

## Why Boeing's big new bird may be a rare sighting

least 420 passengers in a single cabin and fly them well over 5,000 miles non-stop. Next week Boeing is to announce that it will "stretch" the 777 to carry up to 550 passengers in a standard charter cabin seat configuration. The 777-300ER will be bigger than any 747, and capable of flying further and more cheaply. Already, even before the 300X is announced, Asian and Middle Eastern airlines have shown a serious interest in buying.

Packed with the latest electronic entertainment equipment, fast, quiet, wide-bodied and roomy, the 777 could quickly become a firm favourite with leisure

passengers and would make money for charter carriers. Even scheduled airlines, struggling to make modest profits, calculate that the much-improved performance and economy of the twin-engine 777 will enable them to minimise costs. The comfort of the new jet will, they expect, fill almost all the available seats and therefore maximise revenue.

At first sight, it seems the perfect plane for charter airlines as they face ever-growing demand for long-haul package holidays. But few airports in faraway holiday destinations, such as Goa, can handle so many passengers at once, and

few resorts have the hotel beds to accommodate them if they do arrive.

Charter airlines also need to keep an aircraft and its crew flying throughout the year, and a hugely expensive fleet of 777s might have to sit idle during the quiet holiday months, unlike smaller jets, which can be switched at will from one route to another.

Any short-term need for big-capacity charter jets is provided by older TriStars and DC 10s, whose value has been written down and which can be mothballed when not in full use during the peak times. Most charter airlines are concentrating

their fleet on aircraft of between 200 and 250 seats, such as the 757 and 767 which, like the 777, have two engines and can fly long distances, such as over the Atlantic. For years it had been feared that passengers would shun planes that had only two engines, and British Airways resisted using them on long-haul routes for several years. Now, however, more transatlantic crossings are made with 767s than with the four-engine 747 jumbo and few passengers seem to realise that they are relying on two rather than four engines.

Boeing calculates that the demand for air travel will grow at about 5.1 per cent a year between now and 2014 but that the demand for new planes will be slow. Nevertheless, Boeing predicts, at least 15,400 new airliners of all sizes and worth \$1,000 billion, will be needed over the next 20 years. Of these, 3,265 will, the planemaker predicts, be able to carry more than 350 passengers.

HARVEY ELLIOTT

## TRAVEL BRIEF

## Blue flags award for Greece

BY MARIANNE CURPHEY

GREECE'S most popular mainland holiday destination, Halkidiki, has been awarded 39 EU Blue Flags for its clean beaches and sea. Its 500km of coastline covers Athos, Sithonia and Kassandria.

● **ENCOUNTER** Overland (0171 370 6845) is looking for 14 fit travellers to help to research a spectacular expedition route through South-East Asia. The party will leave Saigon on September 17 for an eight-week reconnaissance journey by road, rail and on foot to Nepal. £2,495 per person.

● **COX & Kings** (0171 873 5000) has a charter service between Gatwick and Agra in India from November 6. The inaugural nine-day tour will also go to Delhi and Jaipur. Prices start at £495 per person.

● **WORLDWIDE** Journeys and Expeditions (0171 381 8638) is offering a two-week package to the Pushkar Camel Fair and camel races departing on October 28. The 16-day trip costs £2,075 per person return; accommodation room-only.

● **FRENCH** tour operators have special offers through Connect France (0500 456645), used by more than 30 operators, including Allez France, Brittany Ferries, Cresta, Crystal, Haven France and Keycamp.

● **ROYAL** Cruise Line will run a 102-day world cruise departing from San Francisco on January 16. It will visit 38 ports in 24 countries before ending in Fort Lauderdale, Florida, on April 27. Bookings: (0181 748 9698).

● **MAGIC of the Orient** (01293 537700) has cut the cost of its holidays to many destinations in the Far East, based on Business Class flights, by up to £408 per person.

● **One-week** £199 self-catering holidays in Corsica and Sardinia are on offer by Holiday Options (0171 637 4422) from Gatwick and Manchester from June 10 until July 2.



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## How to suntan safely

BY HARVEY ELLIOTT

BRITISH holidaymakers spend more than £100 million a year on sun-protection products, but, it was claimed yesterday, few understand what they are buying or why.

Labels on sun lotions often use confusing phrases such as "contains vitamin E", "pigments" and "free radicals".

In the latest *Which?*, the Consumers' Association says: "Clear, simple advice about sun protection and how to use the product is harder to find."

About 54 per cent of people try to get a suntan each summer and a similar number use lotions for protection rather than to tan, says the survey of 2,000 adults commissioned by the Health Education Authority. Yet the emphasis on the bottles is on tanning.

About 40,000 cases of skin cancer are reported each year. But despite claims on the bottles to offer protection, only one in five people knows what SPF - sun-protection factor - stands for and how it works.

*Which?* says that users want straightforward advice, but are not getting it. "Cosmetic and cosmetic claims should be scrapped in favour of practical advice that will protect users."

There is no agreed method for measuring the protection given by a particular lotion, but essentially SPF is a measure of the lotion's effectiveness against burning. An SPF of 8, for example, means wearers can stay in the sun eight times as long before they burn than they could if they were using no lotion.

Dr Thomas Suttorf, the *Times* doctor, advises: "Buy sun protection that suits your skin type. If you have a pale rather than dark skin, it is important to buy a lotion with a high SPF number. It should have both UVB and UVA ultraviolet protection."

## Discount war spells cut-price cruises

BY DAVID CHURCHILL

DISCOUNTS of 10 per cent are being offered on cruises featured in the new Virgin Holidays/Carnival Cruises brochure launched yesterday. The brochure includes Florida hotel holidays as well as Caribbean cruises.

The cruises are being sold exclusively in the UK by Lun. Poly. "Ten years ago only 80,000 people took a cruise, now we predict that some 750,000 could be cruising by the end of the decade," says Peter Povey, Lun. Poly's marketing director.

But a glut of new ships coming on stream this year has raised capacity beyond the level of demand in the short term, leading to a fierce discount war. Reductions of 20 and 30 per cent on cruise holidays are being offered by some operators, although with constraints in the choice of cabins.

Even the new 2,000-berth *Divina*, flagship of P&O Cruises, is offering discounts of 20 per cent or more off next winter's cruise programme for bookings made before the end of June. *Orania's* maiden 90-night world cruise, for example, now starts at almost £6,000, down from the initial brochure price of £7,500. *Rycka* cruises, based on the world cruise are also being discounted by 25 per cent for early bookers.

But it is this summer where prices are being cut most.

John Swindell, managing director of flight consolidator Airline Ticket Network, has just launched Cruise Network to take advantage of late availability cruise discounts.

The growth of new ships and new routes has inevitably led to "reduced fares and special discounts," he says. An 11-night 8-day cruise to the Mediterranean, leaving on June 29 now we predict that some 750,000 could be cruising by the end of the decade," says Peter Povey, Lun. Poly's marketing director.

Specialist travel retailer Page & Moy also says it has guaranteed discounts of at least 5 per cent off any brochure price for cruise lines who are members of the Passenger Shipping Association. (Details: 0116 251 3377).

"Alaska has undoubtedly been the latest success story with experienced cruisers looking to go somewhere different," says Rodney Spokes, general manager for Page & Moy. "We have also noticed a drop in the average age for cruising and a growing realisation among the public that cruising can be a fun option for families."

Next year Thomson Holidays is expected to charter its own cruise ship to offer Mediterranean cruises. This follows the two ships being operated by rival tour operators Airtrans this summer.



An Indonesian couple go through the tradition of feeding each other during a wedding ceremony in Solo

## New link to city of the sultans

SINGAPORE Airlines' South East Asian subsidiary, SilkAir, last week extended its services to Indonesia with an inaugural flight from Singapore to central Java.

This was a two-hour flight over tropical seas, paddyfields and volcanoes into the exotic heart of Indonesia, the city of Solo - also called Surakarta - where it was greeted by banners, drums, gongs, xylophones and traditionally threatening masked dancers. SilkAir already flies to the

FROM GRAHAM LORD IN SINGAPORE

Indonesian capital, Jakarta, as well as to Medan, Manado, Pekanbaru and Lombok, near Bali.

Solo, known locally as "the city that never sleeps" because of its 24-hour street life, is the home of the sultans and princes of the palaces of Kasunan and Mangkunegaran, the centre of the batik textile industry and is close to the vibrant city of Yogyakarta as well as to many ancient

Hindu temples and the brooding stone mystery of the vast 9th-century Buddhist temple of Borobudur.

The start-up of scheduled services to these new Indonesian points followed closely the signing of the memorandum of understanding on tourism co-operation between the Singapore and Indonesian governments late last year," says Michael Chan, SilkAir's general manager.

"Accessibility to these attractive destinations will now be easier for the international traveller."

Central Java already attracts 400,000 tourists a year, mainly from Australia and Holland. The Dutch ruled the island until 1949. As yet few tourists come from Britain but Singapore Airlines hopes that the new service will attract many more. The Singapore/Solo flight costs £200 or less, through a travel agent or package deal.

## Border clash hits bookings

ECUADOR is counting the cost of its February border conflict with neighbouring Peru at around 60 soldiers killed or missing and a military bill estimated at \$300 million, *Jeremy Seal* writes.

Meanwhile, the country's tourism industry has suffered a severe slump in business over a traditionally critical period for holiday bookings.

Ever since 1960, Ecuador has disputed a 1942 treaty which ceded more than half the country's territory to her powerful southern neighbour. The latest flare-up, over an unmarked 50-mile stretch of mineral-rich jungle and mountain country around the upper reaches of the Cenepa

River, threatened all-out war until a ceasefire was agreed in Uruguay in early March.

In late April, the first tourists for three months started to return to the Amazon Basin jungle lodges such as Imuya and Zancudo in the Cuyabeno Reserve. In potentially sensitive border country 300 miles northeast of the conflict area.

"We took the decision to postpone our tourism activities in the area," says Luchio Maldonado, director of Metropolitan Touring, Ecuador's leading tourism operator. "Besides, our lodges were besieged by 400 Ecuadorian troops during the troubles. We have suffered some cancellations, but were particularly badly hit

by a slump of 30 per cent in reservations."

Even Ecuador's Galapagos Islands, jewel in the country's tourism crown, suffered a severe downturn, particularly from the all-important but conflict-sensitive North American market. "Galapagos cruise ships normally run at close to full capacity," says Brian Williams, director of Journey Latin America, specialist tour operators in London, "but recently some of them have been two-thirds empty."

In a bid to recapture the market share, Ecuadorian operators, particularly in the traditionally expensive Galapagos, are cutting their prices by 10 per cent, says Williams.

## Travel agents to offer passports

HOLIDAYMAKERS may soon be issued with new passports at the same time as they book their foreign packages and arrange travel insurance, *Marianne Curphey* writes.

By the end of the year, Britons will no longer need to send off details to get a new passport but simply drop in at a travel agents' office, bank, building society or post office branch.

The UK Passport Agency, part of the Home Office, is now looking for partners to help to issue new travel documents. At present, the agency's six offices issue more than 3.5 million full passports a year. Each costs £18 and demand is forecast to rise by 300,000 long-term. In addition, two million travellers every year buy the British visitors' passport, which costs £6 less, from post offices.

The Association of British Travel Agents (Abta) is eager for the business, and has already held informal talks with the agency. High street banks, building societies and the Post Office have also expressed interest.

The agency will next week explain to interested parties how they can become partners in issuing full passports. The Passport Agency is likely to retain the right to make final checks.

Michael Howard, the Home Secretary, announced last November that passports would be available outside Passport Agency regional offices. He said the visitors' passport was a "poor-quality passport" which does not provide definite evidence of national status or identity, often used by criminals, terrorists and football hooligans.

## There is now a new way to get travel information

THOUSANDS of people are putting aside glossy brochures and turning to the Internet to help them to plan their travel. *Rachael Jolly* writes. Access to the Internet is becoming more sought after and is fast developing as the equivalent of a global shopping mall.

Until six months ago it was mainly used as a playground and message board for the electronically inclined, but businesses have started to consider it a real alternative to publishing brochures, directories and sales offices.

One of the earliest travel industry initiatives came from a hotel consortium, The Hotel Industry Switch Company (THISCO), which opened up a cluster of electronic travel pages, called TravelWeb, where Hyatt, Best Western and Inter-Continental, among others, have set up shops. A computer user who visits TravelWeb does not see a screenful of boring text, but colourful pictures of each ho-

## Plan your holidays on the Internet

tel, exterior shots, room shots, maps and rates. Cristina Tabara, Hyatt International's director of marketing, says about 30,000 people a week were now looking at its TravelWeb pages.

One worry holding back business on the Internet is security. It is an open network and there has been concern about abuse by hackers picking up credit card details. While it is close to confronting this by using encryption and coded messages, businesses such as Hyatt have chosen to split their options by appearing on another computer net-

work, CompuServe, which has far fewer users but is more secure.

THISCO president John Davis says the majority of viewers were calling during office hours, with 15 per cent of TravelWeb users coming from Europe. With 1,200 hotels now on TravelWeb, consumers have a lot of information at their fingertips. By August it will be ready to take credit card bookings, using encryption, which will mean the Internet users will not have to pick up the telephone. Confirmation of a booking could be received on the user's screen and printed out.

Paul Richer, a travel technology consultant, says: "The Internet is the biggest retailing initiative to be explored since the telephone." But for those who do not use computers, it seems hard to imagine a switch away from the high street or the telephone.

● The author writes for *Travel Trade Gazette*

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THE TIMES THURSDAY JUNE 8 1995

# Sebastian doubtful for Derby attempt

By Richard Evans  
RACING CORRESPONDENT

SEBASTIAN, who has been backed from long odds to 9-2 third favourite for the Vodafone Derby during the past fortnight, is a doubtful runner for Saturday's classic after a training setback yesterday.

Henry Cecil, his trainer, announced that the colt, by Sadler's Wells, would take his chance at Epsom only if he is sound by the time the final declarations for the race are due to be made this morning. "Sebastian came through his final work well with his lead horse, Florida, over seven furlongs on the trial ground this morning," Cecil said. "However, he was found to be sore across his back after returning to the yard. Unless he is normal by tomorrow morning, he will be unable to run on Saturday."

Sebastian is owned and bred by Lord Howard de Walden, 82, whose distinctive apricot silks were carried to success in the 1985 Derby by Slip Anchor. Unraced as a two-year-old after splitting a pastern, he made a winning debut in a Newmarket maiden race over 12 furlongs on the opening day of the Craven meeting, but was narrowly beaten by Tamure at the same course three weeks later.

However, his Derby prospects were enhanced at Salisbury three weeks ago when he won a well-contested conditions event by ten lengths in a virtual canter. With doubts surrounding the participation of Celtic Swing and the stamina of the short-priced Pennekamp, punters latched on to the stoutly-bred Sebastian as an each-way alternative and he became the game of the race.

William Hill eased Sebastian's price to 8-1 and cut Pennekamp, the Andre Fabre-trained favourite, to 11-10. Spectum, runner-up in 11-4, Ladbrokes deleted Sebastian from its ante-post prices.

# Fortune smooths Reid's path towards Epsom

Richard Evans meets  
a jockey confident of  
taking a leading role in  
the weekend's classics

THE form book may highlight the chances of Agard and Pennekamp at Epsom this week, but if fate plays any part in determining the outcome of the Oaks and Derby look no further than Pure Grain and Spectum — the mounts of John Reid.

Consider, for a moment, the unusual set of circumstances surrounding the jockey's involvement with the two horses and it is tempting to conclude that someone decided long ago that this year Reid would complete the Oaks-Derby double last achieved by Steve Causton in 1985.

Pure Grain made his debut at Windsor on a Monday evening last June when Walter Swinburn, the rider of most of Michael Stoute's horses, was unavailable. Reid picked up the spare ride and two weeks later he steered the filly to victory at Newmarket while Swinburn was committed to mounts at Newbury.

A successful partnership had been forged, which owner and trainer were understandably keen to break up, and with victories in the Prestige Stakes at Goodwood last summer followed by a game success in the Musidora Stakes at York last month, Reid now finds himself on a 5-2 chance in the filly's classic tomorrow.

However, his good fortune did not end there. In Italy 11 days ago, Reid received a suspension which would have prevented him from riding in the Oaks, only for the local stewards to change their mind and allow the affable Ulsterman to pay a £780 fine instead.

Until a couple of seasons ago, when Lord Weinstock and his son, Simon, first sent horses to Manton to be trained by Peter Chapple-Hyam, there would have been little chance of Reid donning the silks of the famous by Troy and riding Spectum, the second favourite for Saturday's Derby.

On his debut at Newbury last October, Spectum won



Reid has high hopes of adding Spectum to his previous Derby win on Dr Devious

by ten lengths, the kind of performance which, under normal circumstances, would have had racing's experts shouting his classic chances from the rooftops. Yet again, fate intervened. Half an hour earlier at Doncaster another horse had won by an even more impressive 12 lengths. His name was Celtic Swing.

"But for Celtic Swing, you would have hyped Spectum all winter," Reid observed shrewdly. Instead, the spotlight was concentrated on Angerming Park and the Lady Flicerie-trained filly to the exclusion of almost everything else. The speed displayed by Spectum was quietly forgotten, even when he repeated the trick at Sandown on his seasonal reappearance.

For many, the penny only dropped when doubt was cast over

Celtic Swing's participation at Epsom and Spectum's speed again proved decisive in the Irish 2,000 Guineas.

Even then a doubt remained, not least in the minds of his owners, as to the ability of Spectum to stay the stam-

le-napping 1½ miles at Epsom. "He's a very relaxed horse and you can ride him any way you like. He series and I rode him in a 1½-mile gallop at Manton last Thursday and could not be more happy with the way he did

things. There were three horses in the gallop and we did a decent piece of work. Simon Weinstock was pleased and decided to go for the Derby."

Reid, whose Derby success on Dr Devious in 1992 remains the highlight of his career, believes privately he has an outstanding chance of following up on Spectum. "At the end of the day I think you will need a bit of speed to win the race. Pennekamp is the main danger but there are others who will get the trip and will have to be beaten."

Others like the out-and-out galloper, Sebastian, who has been heavily backed during the past fortnight. Within minutes of Reid taking late work again as Henry Cecil announced Lord Howard de Walden's colt a doubtful runner. See what I mean?

by wicketkeepers, but not catches by fielders.  
Source: TCCSAP Cricket Record

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## CHESTER

THUNDERER  
6.45 Dwellish, 7.15 Velocite, 7.45 Whittle Rock, 8.15 Marsom. 8.45 One For Jeanne. 9.15 Crystal Loop.  
The Times Private Handicapper's top rating:  
7.15 INDIAN JOCKEY.  
Our Newmarket Correspondent: 7.15 Shaama.  
8.15 MARSSOM (nap).

GOING: GOOD  
DRAW: 5F-7F, LOW NUMBERS BEST

### 6.45 PEEPING TOM HANDICAP

(£7,165; 7f 2y) (9 runners)  
1 (4) 6.32 JATO (D.P.S.) 5 W. 5-10. J. Farnham 98  
2 (5) 6.34 PRODIGAL (D.P.S.) 5 W. 5-10. J. Farnham 98  
3 (3) 6.32 2012 (D.P.S.) 5 W. 5-10. J. Farnham 98  
4 (2) 6.32 2012 (D.P.S.) 5 W. 5-10. J. Farnham 98  
5 (1) 6.32 2012 (D.P.S.) 5 W. 5-10. J. Farnham 98  
6 (7) 6.32 2012 (D.P.S.) 5 W. 5-10. J. Farnham 98  
7 (8) 6.32 2012 (D.P.S.) 5 W. 5-10. J. Farnham 98  
8 (9) 6.32 2012 (D.P.S.) 5 W. 5-10. J. Farnham 98  
9 (10) 6.32 2012 (D.P.S.) 5 W. 5-10. J. Farnham 98

### 7.15 RABBIT CATCHER HANDICAP

(£4,785; 1m 2f 7y) (6 runners)  
1 (1) 7.01 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
2 (2) 7.01 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
3 (3) 7.01 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
4 (4) 7.01 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
5 (5) 7.01 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
6 (6) 7.01 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98

### 7.45 TARRAGON MAIDEN STAKES

(2-y-o; £4,085; 5f 10y) (5 runners)  
1 (1) 7.45 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
2 (2) 7.45 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
3 (3) 7.45 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
4 (4) 7.45 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
5 (5) 7.45 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98

### 8.15 BIRD LINE CONDITIONS STAKES

(£2,648; 1m 4f 6y) (3 runners)  
1 (1) 8.15 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
2 (2) 8.15 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
3 (3) 8.15 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98

### 8.45 FLASH IN THE PAN CLAIMING STAKES

(3-y-o; £3,493; 6f 18y) (8 runners)  
1 (1) 8.45 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
2 (2) 8.45 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
3 (3) 8.45 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
4 (4) 8.45 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
5 (5) 8.45 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
6 (6) 8.45 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
7 (7) 8.45 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
8 (8) 8.45 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98

### 9.15 DOSE OF VENICE HANDICAP

(£3,552; 5f 10y) (15 runners)  
1 (1) 9.15 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
2 (2) 9.15 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
3 (3) 9.15 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
4 (4) 9.15 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
5 (5) 9.15 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
6 (6) 9.15 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
7 (7) 9.15 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
8 (8) 9.15 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
9 (9) 9.15 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
10 (10) 9.15 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
11 (11) 9.15 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
12 (12) 9.15 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
13 (13) 9.15 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
14 (14) 9.15 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
15 (15) 9.15 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98

## SOUTHWELL

THUNDERER  
2.00 Noddy, 2.30 Sharphothead, 3.00 Opera.  
2.30 Equus's Darling, 4.00 Vesuvius Lady, 4.30 Wexley Lad.

GOING: STANDARD  
DRAW: 5F-6F, LOW NUMBERS BEST

### 2.00 LION HANDICAP (£2,519; 5f) (15 runners)

1 (1) 2.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
2 (2) 2.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
3 (3) 2.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
4 (4) 2.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
5 (5) 2.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
6 (6) 2.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
7 (7) 2.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
8 (8) 2.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
9 (9) 2.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
10 (10) 2.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
11 (11) 2.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
12 (12) 2.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
13 (13) 2.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
14 (14) 2.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
15 (15) 2.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98

### 2.30 R-BEE CHILDREN WEAR CLAIMING STAKES (£2,447; 2m) (10 runners)

1 (1) 2.30 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
2 (2) 2.30 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
3 (3) 2.30 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
4 (4) 2.30 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
5 (5) 2.30 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
6 (6) 2.30 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
7 (7) 2.30 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
8 (8) 2.30 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
9 (9) 2.30 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
10 (10) 2.30 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98

### 3.00 TOTE CREDIT MAIDEN HANDICAP

(£2,568; 1m 1f) (14 runners)  
1 (1) 3.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
2 (2) 3.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
3 (3) 3.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
4 (4) 3.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
5 (5) 3.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
6 (6) 3.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
7 (7) 3.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
8 (8) 3.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
9 (9) 3.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
10 (10) 3.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
11 (11) 3.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
12 (12) 3.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
13 (13) 3.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
14 (14) 3.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98

### 4.00 CHEETAH HANDICAP (£2,516; 7f) (15 runners)

1 (1) 4.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
2 (2) 4.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
3 (3) 4.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
4 (4) 4.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
5 (5) 4.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
6 (6) 4.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
7 (7) 4.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
8 (8) 4.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
9 (9) 4.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
10 (10) 4.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
11 (11) 4.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
12 (12) 4.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
13 (13) 4.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
14 (14) 4.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
15 (15) 4.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98

## YARMOUTH

GOING: GOOD  
DRAW: 5F-7F, LOW NUMBERS BEST

### 3.00 TOTE CREDIT MAIDEN HANDICAP

(£2,568; 1m 1f) (14 runners)  
1 (1) 3.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
2 (2) 3.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
3 (3) 3.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
4 (4) 3.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
5 (5) 3.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
6 (6) 3.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
7 (7) 3.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
8 (8) 3.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
9 (9) 3.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
10 (10) 3.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
11 (11) 3.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
12 (12) 3.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
13 (13) 3.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
14 (14) 3.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98

### 4.00 CHEETAH HANDICAP (£2,516; 7f) (15 runners)

1 (1) 4.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
2 (2) 4.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
3 (3) 4.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
4 (4) 4.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
5 (5) 4.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
6 (6) 4.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
7 (7) 4.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
8 (8) 4.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
9 (9) 4.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
10 (10) 4.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
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13 (13) 4.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
14 (14) 4.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98  
15 (15) 4.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98

## WARWICK

GOING: GOOD  
DRAW: 5F-7F, LOW NUMBERS BEST

### 3.00 TOTE CREDIT MAIDEN HANDICAP

(£2,568; 1m 1f) (14 runners)  
1 (1) 3.00 1011 (D.P.S.) 5 W. 5-10. J. Farnham 98











# Clark fails to survive switch to matchplay

By JOHN HOPKINS, GOLF CORRESPONDENT

THERE has never been such a game as golf for cutting people down to size. Take the case of Gary Clark, the 24-year-old West of England champion, who on Tuesday had led the 64 qualifiers for the Amateur Championship at Royal Liverpool after rounds of 70 and 69.

"I know it counts for nothing on Wednesday, but at least I enter the matchplay stages with my confidence high," the Middlesex county player had said.

After that, there was only one thing that could happen. Golf being a game where form can disappear between the green of one hole and the tee of the next, Clark found himself heading into the eye of a storm.

Generated by Marcus Wheelhouse, his opponent in the first round, considering that Clark was six down after ten holes, he did well only to lose by 4 and 3.

At least Clark can say he was beaten by a good player.

Results 42

Wheelhouse, who is listed in the programme as coming from New Zealand — the country rather than the famous club near Woking, in Surrey — has won his home strokeplay championship for the past two years and last year represented his country in the Eisenhower Trophy. In case these credentials were not impressive enough, he stopped off in Malaysia en route to Britain and won the Malaysian amateur title.

There are lots of clubs in New Zealand with mellifluous-sounding Maori names and Wheelhouse belongs to one of them, Maungakiekie, in Auckland, is the territory of Michael Campbell, who is having such a good season as a professional. Wheelhouse and Campbell not only played together as amateurs but also share the same coach in Mel

Tongue, an Englishman living in New Zealand.

Conditions yesterday were very demanding on a typical June day at the seaside, the flags of the dozen or so participating countries straining at their poles. The course played every one of its 7,128 yards and player after player finished feeling buffeted by the wind and burred by the sun.

Lee James began the defence of his title with a comfortable victory over Steven Carmichael and Mark Foster, the English amateur champion who tied for the English strokeplay championship for the Brabazon Trophy recently, defeated his Icelandic opponent.

Comfortable as these two victories were, Jody Fanagan's victory was anything but. The Milltown player, who is in the Walker Cup squad, was two down with two holes to play, but then won the 17th and 18th and the 19th.

For a while, it looked as though Gordon Sherry, the biggest man in the field — and perhaps the best — might be the biggest name to be topped. He was four over par at the turn against Christophe Ravetto, of France, and two down.

Sherry, who finished second in the Lytham Trophy recently, is improving on almost every occasion one sees him play. The experience of playing in the Great Britain and Ireland team in the Eisenhower Trophy in Paris that led with nine holes to go now came to his aid. A big hitter, he smashed an enormous drive downwind on the 14th, all of 350 yards, to win that hole to get back to all square.

He won the 16th, too, to go one up and played two of the best shots of a difficult day on the 17th. Into the wind, he hit as good a drive as he could. It travelled 230 yards and was followed by a majestic three-iron to 12 feet.



Christophe Ravetto, of France, escapes from a greenside bunker during his match with Gordon Sherry

## Rocca stung by US Open rebuff

FROM MEL WEBB IN HAMBURG

FOR the sake of a few hundred pounds and a piece of administrative maladroitness, Costantino Rocca, the Ryder Cup golfer from Italy, has been denied a place in next week's US Open.

Qualification categories issued by the United States Golf Association (USGA) for this year's championship, at Shinnecock Hills, Long Island, included exemption for the top two in the European Order of Merit after the Volvo PGA Championship that ended on May 29.

At the conclusion of the championship, the European Tour announced that the top two men on the Order of Merit were Bernhard Langer, who had gone to the head of the list by virtue of winning at Wentworth, and Rocca.

The Italian was justifiably delighted. He had been saying for many weeks that a place at Shinnecock Hills was one of his targets for the season and it came as a

huge disappointment when his application for an exemption was refused.

The USGA said that, as far as it was concerned, the top two men in the European list were Langer and Fred Couples, who pocketed £175,000 by winning the first two tournaments of the European Tour season, in Dubai and Manila. Couples was then placed at the top of the Order of Merit for the following 15 weeks, being removed, along with other non-members of the European Tour such as Nick Price and Ernie Els, only at the beginning of the sixteenth, the week of the Wentworth event.

At the cut-off point, Rocca had won £174,695; another £306 would have put him above Couples. He took his case to the highest level at the European Tour and it is believed that Ken Schofield, its executive director, has made a personal plea on behalf of Rocca, who was

inconsolable yesterday as he prepared for the Deutsche Bank TPC of Europe, which starts here today. "I'm very upset because, as far as I was concerned, I was second under the rules," he said.

Schofield's representations, however, are unlikely to persuade the USGA's championship committee to change its mind. Craig Smith, a USGA official, said yesterday: "Our rules clearly go on money winnings and the No 2 on our list is Fred Couples."

It would seem that the European Tour has already resigned itself to failure. "I am afraid it is the Americans' call on this," John Paramor, the director of tour operations, said. "We kept Couples and Price on the money-list, even though they are not members of the tour, until it became clear that they were not going to play the minimum number of 11 tournaments in the season."

## Nuttall's aim is fast time in Rome

By DAVID POWELL

JOHN NUTTALL was at home in Preston when he turned on Ceeba, more out of curiosity than trepidation. As he read the result of the Golden Gala 5,000 metres from Rome, his Olympic screen went blank.

Nuttall had seen himself as a prime contender to make the Great Britain team for the 1992 Olympic Games in Barcelona, but when he read that Ian Hamer, Rob Denham and Jack Buckner had reached three of the quickest times in the history of British 5,000 metres running — all sub-13min 11sec — Nuttall was stunned.

"I nearly fell off my chair," he recalled. "It took me a week to recover. You see that three guys have run 13min 10sec and think 'What am I going to do? Run 13:10 in the trial?' His spirit was broken before the Olympic trial race arrived and he finished fourth. Buckner confirming his place with a victory to take the third British team place behind Hamer and Denham, who had shaded him in Rome.

Tonight, Nuttall is the lone Briton in the Golden Gala 5,000 metres and he is looking for the sub-13min 20sec performance that would confirm his progress from last season, when he finished third in the World Cup, third in the Commonwealth Games and fifth in the European championships. "I have picked Rome because it is known for fast times," Nuttall, whose best is 13min 23.44sec, said.

The field also includes Moses Kiptanui, the 3,000 metres world record-holder, from Kenya, Salah Hissou, a Moroccan who ran 13min 49.95sec last year, and Genaro Di Napoli, of Italy, whose world indoor 3,000 metres win in March was a triumph for front-running.

## Pretenders bow to Bruguera and Chang

FROM STUART JONES, TENNIS CORRESPONDENT, IN PARIS

THE two remaining men's quarter-finals at the French Open yesterday developed into unequal struggles against overbearing handicaps. Renzo Furlan, running around on one sound leg, and Adrian Panatta, carrying virtually no experience, were no match for former champions.

Sergi Bruguera, the holder for the past two years, and Michael Chang, the winner in 1989, went through in straight sets and will meet each other tomorrow, surprisingly, for the first time on clay. The other semi-final will be between Thomas Muster and Yevgeny Kafelnikov.

Furlan, the first Italian to reach the last eight for 15 years, revealed that his injury was four days old. Although he insisted that it had not hampered him, his duel against Bruguera, the No 7 seed, lost any semblance of authenticity once his left thigh had been strapped.

He had feared, when he failed to convert any of seven break points at 0-4 in the first set, that he might not win a single game. In the end, he won nine, but only because Bruguera, suspecting that his

opponent might be about to default, lost his cutting edge. He still went through 6-2, 7-5, 6-2.

His nineteenth successive victory at Roland Garros leaves him two short of a rare distinction. Bjorn Borg is the only man to have collected the title three years in a row. Jim Courier was poised to equal the feat in the final in 1993, but was denied by Bruguera.

Voinea seemingly had no

right to mix in such elevated company. He was almost knocked out of the championship before it began. In the second round of the qualifying competition, during which he saved four match points, only an overrule by the umpire rescued him from elimination.

The 20-year-old Romanian has been included in only one main draw on the ATP tour in his brief career. That was earlier this year in Johannes-

burg and he was beaten in the first round. He has been forced to qualify for the other ten events he has entered.

Having defeated, he lived a nomadic existence, without a base, a coach or financial backing, before settling in Perugia. The first Romanian to feature in the quarter-finals since Ilie Nastase in 1977, he departed with some £65,000, more than doubling his previous earnings.

Voinea's attempt to join the distinguished group was a realistic possibility for almost an hour. As against Boris Becker, his victim in the third round, he relished an occasion far beyond his limited experience and held two points to take the first set 6-4.

He missed both and his game collapsed dramatically. The forehead, which had provoked gasps of admiration, became an object of frustration as he conceded 13 successive games to the sixth seed.

When Voinea eventually broke the dispiriting sequence in the fifth game of the third set, he threw his arms in the air in mock triumph and jokingly attempted to shake hands with his opponent. The ruthless Chang, not one to indulge in lightheartedness, ignored the gesture.

## Short shrift for unhappy Shriver

BECKENHAM is one of the most amiable and relaxed of the pre-Wimbledon tennis tournaments (Allix Ramsay writes). There are no ranking points to worry about and the top seeds do not expect to be given a rough ride — but then youth seldom respects reputation, as Pam Shriver discovered to her cost yesterday. The former world No 4 was sent packing 7-5, 1-6, 6-4 by Siobhan Drake-Brockman, 17.

It was Drake-Brockman's biggest scalp so far. The

Australian's game plan was to keep Shriver penned back and let the American do the rest. It worked from the opening games for the Australian junior champion.

As for Shriver, her assessment was direct: "It went wrong from the first volley, actually." These days she spends most of her time at the world's leading venues working as a television commentator.

The last two British women also failed to make it beyond the second round. Karen Cross was put out by Rita

Hiraki, of Japan, 6-1, 6-4 and Julie Pullin lost to Ros Fairbank-Nideffer, of South Africa, 6-2, 6-2.

The men fared better. Danay Sapidoff edged past Andre Painter, from Australia, 7-6, 7-6 and Gary Henderson beating Marlene Barnard, from South Africa, 6-3, 3-6, 6-3. To ensure there will be some British interest in finals day, Greg Rusedski will hit his first tennis ball in Britain as a Briton, when he plays an exhibition match with Stefan Edberg on Sunday.

## Andretti set to race at Le Mans

MARIO ANDRETTI, of the United States, is coming out of retirement to drive a Porsche in the Le Mans 24-hour race this year. Andretti, 35, a Formula One world champion with Lotus in 1978, will team on June 17 and 18 with the 1993 winner, Eric Helary, and Bob Wollek, both of France, in a Porsche turbo Courage.

Andretti, who retired from the IndyCar circuit last year, will be hoping to improve on his previous best effort at Le Mans, a third place in 1983.

Porsche will power two of the other main contenders, including the Kreher team of Hans-Joachim Stuck — the winner in 1986 and 1987 — Thierry Boutsen, the former Benetton and Williams Formula One driver, and Christophe Bouchut.

The Larbre team car will be driven by the Germans, Jürgen Lässig and Franz Conrad, and Antonio Hermann, of Brazil.

## THE TIMES RACING

Commentary  
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Results  
Call 0891 100 123

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Call 0891 881 461  
Reports and scores from the British Assurance county championship  
Call 0891 525 019

FOOTBALL  
Reports and scores from the United Cup  
Call 0839 555 562

Call cost 29p per min. cheap rate. 49p per min. at all other times

## The agony and the ecstasy

Lovely Witches, Radio 4, 2.00pm.

Annie is the sort of warm, mature woman in whom all her friends confide, causing her to cry despairingly: "Sometimes I think I should offer my services to some women's magazine as an agony aunt." Everything goes wrong in Moya O'Shea's play — plants wilt, relationships crumble, natural disasters figure in all the news bulletins and even Annie's widowed mother gives her grief by falling for a younger man. But it is not all doom and gloom and the dialogue, which is mainly between Annie and her friends, bubbles along in great style and with much wit. Annie's remark about Joan, for example: "A twice-married refugee from more war zones than Kate Adie." Sorry, men, you don't come off too well at all. Natasha Fyne plays Annie, the narrator, with Joanna Moore, Tara Ward and Deborah Berlin as some of her friends.

Laying Down the Law: Watching the Detectives, Radio 5, 10.30pm.

Forensic scientists working on real cases and examine the evidence in this fly-on-the-wall documentary. Each case in the programme is followed stage by painstaking stage through fibre analysis, genetic fingerprinting, ballistics and so forth. So, if you like a whodunnit — whether a burglary or a murder — Cook explains some of the science and technology now used by police forces as well as raising questions about the ethics involved.

Kenneth Gossling

RADIO 1

5.00am Simon. 6.00am Dave Pearce. 6.30am Chris Evans. 8.00am Simon Mayo. 12.00pm Lisa. 1.00pm. 1.30pm. 2.00pm. 2.30pm. 3.00pm. 3.30pm. 4.00pm. 4.30pm. 5.00pm. 5.30pm. 6.00pm. 6.30pm. 7.00pm. 7.30pm. 8.00pm. 8.30pm. 9.00pm. 9.30pm. 10.00pm. 10.30pm. 11.00pm. 11.30pm. 12.00pm.

RADIO 2

5.00am Simon. 6.00am Martin Kelner with the Early Show. 7.00am. 7.30am. 8.00am. 8.30am. 9.00am. 9.30am. 10.00am. 10.30am. 11.00am. 11.30am. 12.00pm. 12.30pm. 1.00pm. 1.30pm. 2.00pm. 2.30pm. 3.00pm. 3.30pm. 4.00pm. 4.30pm. 5.00pm. 5.30pm. 6.00pm. 6.30pm. 7.00pm. 7.30pm. 8.00pm. 8.30pm. 9.00pm. 9.30pm. 10.00pm. 10.30pm. 11.00pm. 11.30pm. 12.00pm.

RADIO 3

5.00am Morning Reports. 6.00am The Breakfast Programme. 7.15am What About Us? 8.25am The Magazine. 9.00am. 9.30am. 10.00am. 10.30am. 11.00am. 11.30am. 12.00pm. 12.30pm. 1.00pm. 1.30pm. 2.00pm. 2.30pm. 3.00pm. 3.30pm. 4.00pm. 4.30pm. 5.00pm. 5.30pm. 6.00pm. 6.30pm. 7.00pm. 7.30pm. 8.00pm. 8.30pm. 9.00pm. 9.30pm. 10.00pm. 10.30pm. 11.00pm. 11.30pm. 12.00pm.

RADIO 5

5.00am Morning Reports. 6.00am The Breakfast Programme. 7.15am What About Us? 8.25am The Magazine. 9.00am. 9.30am. 10.00am. 10.30am. 11.00pm. 11.30pm. 12.00pm. 12.30pm. 1.00pm. 1.30pm. 2.00pm. 2.30pm. 3.00pm. 3.30pm. 4.00pm. 4.30pm. 5.00pm. 5.30pm. 6.00pm. 6.30pm. 7.00pm. 7.30pm. 8.00pm. 8.30pm. 9.00pm. 9.30pm. 10.00pm. 10.30pm. 11.00pm. 11.30pm. 12.00pm.

RADIO 5

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ness for imitation, it would not be altogether surprising if *Cardinal* ER returns looking more like *ER* (Channel 4). Nor would it be bad thing, as the American series has managed to weave professional and private lives far more skillfully — and managed a few jokes along the way.

Last night there was only one tattooed man in need of a skin graft. "That means putting the serpent's head on to the body of goddess." For the rest of a grueling hour, the show forsook its multiple storylines and concentrated on one. Slightly unfortunately that one turned out to be a slow motion replay of Monday's *Bramwell* — mother dies, babies live — but it was wonderful to read, particularly by Anthony Edwards as Mark Greene. The infallible Dr Greene finally fails — a big time. Never mind, I'm sure there's a locust position going on

I. Bristol's finest young minds and none of them wanted to become chairman of a privatised utility company? Don't they teach them anything at school these days?

As far as I can recall, Harvey Jones has already done a hospital so his services are probably unavailable to the producers of *Cardiac Arrest* (BBC 1). No matter — as one series ends and a new one begins, another begins.

programme needs is not a financial consultant but a script consultant, preferably someone who knows nothing about medicine but everything about drama. Working alongside the writer John MacLure, who as a junior doctor himself knows lots about medicine but not as much as we first thought about drama, they might just be able to restore it to rude health.

Let's hope so. For having made dire start with episodes that appeared to have been written by junior doctors for junior doctors, the series has improved significantly. Last night's, in fact, was pretty good. True, there are probably too many main characters to cram in to half an hour, but given the problems most of them face that may not be the case for long. Until Claire's last minute change of heart (actually more a last minute restarting of someone else's heart) the casualty list

one suspended, one with Aids, one on crutches and one facing manslaughter charges. That just left Raj, who made the crucial mistake of going on holiday (never go on holiday in the final episode, you never know what could happen) and Andrew, who finally got to do something interesting — winning Nurse Richards.

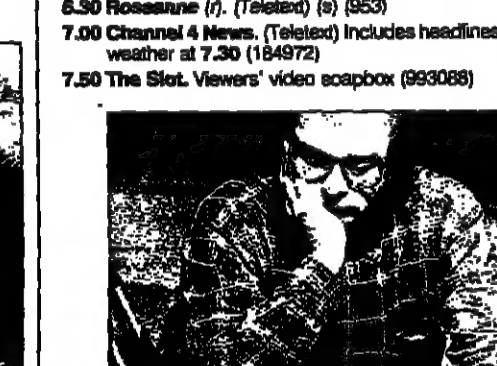
**T**he humour, too, has weaned itself off a dull diet of bitter one-liners about being overworked and under-paid. My favourite moment came last week when a tired and emotional Nurse burst into the children's ward and announced that Father Christmas had just died in custody. But the splendidly ghastly hospital manager (Nicholas Palfreys) came close last night. "In recognition of 30 years devoted to service," he told nurse, "we would like to present you with this cheque — for £500."

ness for imitation, it would not be altogether surprising if *Cardinal* and *Arrest* returns looking more like *Er R (Channel 4)*. Nor would it be bad thing, as the American series has managed to weave professionalism and private lives far more skillfully — and managed a few jokes along the way.

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## CHANNEL 4

- 6.35 *The Adventures Of T-Rex* (t) (R057205)
- 7.00 *The Big Breakfast* (27175)
- 9.00 *You Bet Your Life* (t) (29408)
- 9.30 *Schools: How's It Like...* (t) (7984040) 9.45 *Rae Seel*. Goo (9838663) 10.00 *Equinox: The Elements* (5219330) 10.53 *Schools At Work* (1888750) 11.11 *Out for Adventure: Schoolground Adventure* (3944448) 11.15 *Out for Adventure: Lucky* (3943088) 11.30 *Film and Video Show* (17171) 11.40 *The British Programme* (63744)
- 12.00 *House To House*. Maya Even's political magazine (32972)
- 12.30 *Seaside Street* (t) (16311)
- 1.30 *The Wonderful Wizard Of Oz* (t) (t) (6414635)
- 1.55 *Pete Smith Specialities*. A look at a w annoying habits (22220982)
- 2.05 *FLM: That Lady* (1955) starring Olivia Haviland, Gilbert Roland and Paul Scottie. period romance about a 16th-century Spanish woman whose affair with a promising politician angers King Philip II and ends in tragedy. Directed by Terence Young (750811)
- 4.00 *Jimmy's*. Real life dramas from St James's (400) (t) (16311)
- 4.30 *Fifteen-To-One*. (Televised) (t) (408)
- 5.00 *Ricki Lake*. The teenage self-confessed doggers and a former one who warns them of dangers. (Televised) (t) (7039156)
- 5.45 *Terrycorns*. An Astronaut double bill (342717)
- 6.00 *The Cosby Show*. American domestic comedy (Televised) (901)



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Tony Holden explains the art of lying (8.00)

8.00  **The Mind Field: The Lying Game** (Televised) (s) (1408)

8.30  **The Crystal Mists**. More contestsarts work their way through the four time zones led by Edward Tu Pole. (Televised) (s) (65175)

9.30  **True Stories: The Village**. (Televised) (206625)

11.05 **The Seven Deadly Sins**. The final collaboration between Benoit Brecht and Kurt Walli, directed by Peter Sellers. Starring Teresa Stratas and Kimbrell as the sisters, Anna and Anna II who go into the world to earn money so that their family build a house. They clash over sins during journey when they have to confront, one another, the seven deadly sins. Kant Na conducts the Orchestre de Lyons (s) (468682)

12.00 **For One Night Only: Errol Flynn, A Without a biopic starring Nathaniel Parker in the role of Hollywood star (r) (s) (58064)**

12.30am **Dispatches (r)**. (Televised) (2068373)

2.00 **FILM: Mrs R's Daughter** (1979) starring G. Leachman. A made-for-television drama about mother's obsession with finding the man who raped her daughter. Directed by Dan Curtis (2933) Ends at 3.00

## SATELLIT

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